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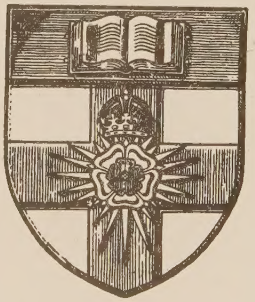

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THIRD SERIES:

COMMENCING WITH THE ACCESSION OF

WILLIAM IV.

30° VICTORIÆ, 1867.

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TO

THE FIFTEENTH DAY OF MARCH 1867.

First Volume of the Session.

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This House having, in the last Session of Parliament, assented to the Second Reading of a Bill, intituled "A Bill to extend the right of Voting at Elections of Members of Parliament in England and Wales," is of opinion,

1. That the number of Electors for Counties and Boroughs in England and Wales ought to be increased.

2. That such increase may best be effected by both reducing the value of the qualifying Tenement in Counties and Boroughs, and by adding other Franchises not dependent on such value.

3. That, while it is desirable that a more direct Representation should be given to the Labouring Class, it is contrary to the Constitution of this Realm to give to any one class or interest a predominating power over the rest of the Community.

4. That the Occupation Franchise in Counties and Boroughs shall be based upon the principle of Rating.

5. That the principle of Plurality of Votes, if adopted by Parliament, would facilitate the settlement of the Borough Franchise on an extensive basis.

6. That it is expedient to revise the existing Distribution of Seats.

7. That in such revision it is not expedient that any Borough now represented in Parliament should be wholly Disfranchised.

8. That, in revising the existing Distribution of Seats, this House will acknowledge, as its main consideration, the expediency of supplying Representation to places not at present represented, and which may be considered entitled to that privilege.

9. That it is expedient that provision should be made for the better prevention of Bribery and Corruption at Elections.

10. That it is expedient that the system of Registration of Voters in Counties should be assimilated, as far as possible, to that which prevails in Boroughs.

11. That it shall be open to every Parliamentary Elector, if he think fit, to record his vote by means of a polling paper, duly signed and authenticated.

12. That provision be made for diminishing the distance which Voters have to travel for the purpose of recording their votes, so that no expenditure for such purpose shall hereafter be legal.

13. That a humble Address be presented to Her Majesty, praying Her Majesty to issue a Royal Commission to form and submit to the consideration of Parliament a scheme for new and enlarged Boundaries of the existing Parliamentary Boroughs where the population extends beyond the limit now assigned to such Boroughs; and to fix, subject to the decision of Parliament, the Boundaries of such other Boroughs as Parliament may deem fit to be represented in this House.

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Resolution [February 15] *reported*, and, after short debate, *agreed to* .. 474
Bill *ordered* (*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer.*)

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

COMMANDER SAYER'S LIFE BOAT—Question, Mr. Knatchbull-Hugessen; Answer, Sir John Pakington 476

MR. STAYNER, LATE DEPUTY POSTMASTER GENERAL, CANADA—Question, Mr. Childers; Answer, Mr. Hunt 479

REPRESENTATION OF THE PEOPLE—THE RESOLUTIONS—Question, Mr. Ayrton; Answer, The Chancellor of the Exchequer:—Long debate thereon .. 480

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—SUPPLEMENTARY CIVIL SERVICES 1866-7—*considered* in Committee.
(1.) £45,721, Purchase of the Blacas Collection of Coins and Antiquities for the British Museum 491
After debate, Vote *agreed to.*
(2.) £165,309, Royal Palaces 497
After debate, Vote *agreed to.*
(3.) £101,300, Anglo-Chinese Flotilla 512
After short debate, Vote *agreed to.*
Resolutions to be *reported* on *Wednesday.*

Trades Unions Bill [Bill 18]—
Moved, "That the Bill be now read a second time,"—(*Mr. Walpole*) .. 513
After debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Friday.*

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Admiralty Jurisdiction Bill—

Motion for Leave (*Sir Stafford Northcote*) 529

After short debate, Bill for extending and regulating the Jurisdiction of the High Court of Admiralty, and for conferring Admiralty Jurisdiction on the County Courts, *ordered* (*Sir Stafford Northcote, Mr. Attorney General, Mr. Cave*); *presented,* and read the first time [Bill 28.]

Tenants Improvements (Ireland) Bill—

Motion for Leave (*Lord Naas*) 530

After long debate, Bill to promote the improvement of Land by occupying Tenants in Ireland, *ordered* (*Lord Naas, Mr. Solicitor General for Ireland*); *presented,* and read the first time [Bill 29.]

Land Improvement and Leasing (Ireland) Bill—*Ordered* (*Lord Naas, Mr. Solicitor General for Ireland*); *presented,* and read the first time [Bill 30] 556

PUBLIC ACCOUNTS—Committee of Public Accounts *nominated* .. 556

Land Improvement Contracts (Ireland) Bill—*Ordered* (*Mr. Agar-Ellis, Colonel French*) 556

Land Tax Commissioners' Names Bill—*Ordered* (*Mr. Hunt, Mr. Chancellor of the Exchequer*); *presented,* and read the first time [Bill 31] 556

LORDS, TUESDAY, FEBRUARY 19.

PRIVILEGE—MR. R. S. FRANCE'S PAMPHLET—Select Committee *appointed* .. 556

British North America Bill (No. 9)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Carnarvon*) .. 557

After long debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

COMMONS, TUESDAY, FEBRUARY 19.

LAW OF MORTMAIN—Question, Mr. Hadfield; Answer, The Attorney General 583

CAPTAIN DESLANDES OF THE "ANNE"—Question, Mr. Guinness; Answer, Sir Stafford Northcote 583

TRADE IN ANIMALS—Question, Mr. M'Lagan; Answer, Mr. Corry .. 584

ARMY—MEDICAL OFFICERS OF THE BRIGADE OF GUARDS—Question, Sir Robert Anstruther; Answer, General Peel 584

ORNAMENTAL WATERS IN THE PARKS—Question, Mr. H. B. Sheridan; Answer, Lord John Manners 584

IRELAND—REFORM BILL—Question, Mr. Brady; Answer, Lord Naas .. 585

INSPECTION OF COLLIERIES—Question, Mr. Edwards; Answer, Mr. Walpole .. 585

THE SHIP "TORNADO"—Question, Mr. Crum-Ewing; Answer, Lord Stanley 586

SCOTLAND—POOR LAW—Question, Sir R. Anstruther; Answer, Mr. Walpole .. 586

CATTLE PLAGUE IN CHESHIRE—Question, Mr. Tollemache; Answer, Sir Stafford Northcote 586

AFFAIRS OF CRETE—Question, Sir Harry Verney; Answer, Lord Stanley .. 587

DOCKYARDS—Resolution—Motion,

"That, in the opinion of this House, the control and management of the Dockyards is inefficient, and that the inefficiency may be attributed to the following causes:—
1st. The constitution of the Board of Admiralty;
2nd. The defective organization of the subordinate departments;
3rd. The want of clear and well-defined responsibility,"—(*Mr. Seely.*) .. 588

After long debate, *Previous Question* proposed, "That that Question be now put,"—(*Sir John Pakington*) 604

After further long debate, *Previous Question* and Motion, by leave, *withdrawn.*

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Mines, &c., Assessment Bill—
Motion for Leave (*Mr. Percy Wyndham*) 649
After short debate, Bill to assess Mines, Woodlands, and Plantations to Local Rates, *ordered* (*Mr. Percy Wyndham, Mr. Cavendish Bentinck, Mr. Henderson*); *presented,* and read the first time [Bill 33.]

Sunday Trading Bill—
Motion for Leave (*Mr. Thomas Hughes*) 653
After short debate, Bill to amend the Laws relating to Selling and Hawking Goods on Sunday, *ordered* (*Mr. Thomas Hughes, Lord Claud Hamilton, Sir Brook Bridges*); *presented,* and read the first time [Bill 34.]

Controverted Elections—Chairmen's Panel 654

COMMONS, WEDNESDAY, FEBRUARY 20.

Annuity Tax Abolition (Edinburgh, Parish of Canongate) Bill [Bill 2]—
Moved, "That the Bill be now read a second time,"—(*Mr. M'Laren*) .. 655
Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Sir James Fergusson.*)
After long debate, Question put, "That the word 'now' stand part of the Question:"—Ayes 74, Noes 107; Majority 33:—Words *added*:—Main Question, as amended, put, and *agreed to*:—Bill *put off* for six months.
Division List, Ayes and Noes 677

Criminal Law Bill [Bill 8]—
Moved, "That the Bill be now read a second time,"—(*Mr. Russell Gurney*) 678
After short debate, Motion *agreed to*:—Bill read the second time, and *committed* for *Wednesday,* 13th March.

SUPPLY—Supplementary Civil Services 1866-7—
Resolutions [February 18] *reported.*
Vote £600, Houses of Parliament 681
After short debate, Vote *agreed to.*
Vote £50,000, Universal Exhibition at Paris 683
After short debate, Vote *agreed to.*
Resolutions *agreed to.*

Sale and Purchase of Shares Bill—
Motion for Leave (*Mr. Leeman*) 690
After short debate, Bill to amend the Law in respect of the Sale and Purchase of Shares in Joint Stock Banking Companies, *ordered* (*Mr. Leeman, Mr. Waldegrave-Leslie, Mr. Goldney*); *presented,* and read the first time [Bill 38.]

Habeas Corpus Suspension (Ireland) Act Continuance Bill—
Motion for Leave (*Lord Naas*) 690
After debate, Bill *ordered* (*Lord Naas, Mr. Solicitor General for Ireland*); *presented,* and read the first time [Bill 35.]

Railways (Guards' and Passengers' Communication Bill—*Ordered* (*Mr. Henry B. Sheridan, Sir Patrick O'Brien*); *presented,* and read the first time [Bill 39] .. 695

Marriages (Odessa) Bill—*Ordered* (*Mr. Secretary Walpole, Mr. Attorney General*); *presented,* and read the first time [Bill 40] 695

Criminal Lunatics Bill — *Ordered* (*Mr. Secretary Walpole, Mr. Attorney General*); *presented,* and read the first time [Bill 41] 695

Sugar Duties Bill—*Presented,* and read the first time [Bill 37] 695

Duty on Dogs Bill—*Presented,* and read the first time [Bill 36] 695

LORDS, THURSDAY, FEBRUARY 21.

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Masters and Operatives Bill (No. 3)—
Moved, "That the Bill be now read 2ª,"—(*Lord St. Leonards*) .. 696
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Lis Pendens Bill (No. 6)—
Moved, "That the Bill be now read 2ª,"—(*Lord St. Leonards*) .. 698
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

Sale of Land by Auction Bill (No. 10)—
Moved, "That the Bill be now read 2ª,"—(*Lord St. Leonards*) .. 700
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

REFORM—BOROUGH QUALIFICATION—*Moved,*
That in the Opinion of this House, in any further Scheme to amend the Reform Act of 1832 and increase the Body of Electors, it is not desirable or necessary that all Boroughs should return Members by the same Qualification,—(*Lord Campbell*) .. 701
After debate, Motion *withdrawn.*

MR. FRANCE'S PAMPHLET—Select Committee *nominated* 719

PRIVATE BILLS—Standing Order Committee on—*appointed* and *nominated* .. 719

COMMONS, THURSDAY, FEBRUARY 21.

IRELAND — EDUCATION COMMISSIONERS — Question, Mr. Lanyon; Answer, Lord Naas 720

SCOTCH BUSINESS—Question, Mr. Baxter; Answer, Mr. Walpole .. 721

QUARANTINE IN THE WEST INDIES — Question, Captain Speirs; Answer, Mr. Adderley 721

WEST INDIES — MORTALITY IN THE HARBOUR OF ST. THOMAS—Question, Captain Speirs; Answer, Mr. Adderley 722

IRELAND — WATERFORD ELECTION — Question, The O'Donoghue; Answer, General Peel 723

CATTLE PLAGUE—Question, Mr. Fordyce; Answer, Mr. Corry .. 724

COURTS OF JUSTICE CONCENTRATION ACT—Question, Mr. Bentinck; Answer, Mr. Hunt 725

ARMY—ARTILLERY—STUD SHOT—Question, Mr. Henry Baillie; Answer, General Peel 725

SCOTLAND—EDUCATION—Question, Sir Edward Colebrooke; Answer, Mr. Corry 725

GRANTS TO MISSIONARIES—Question, Mr. Candlish; Answer, Mr. Adderley 726

LANCASTER ELECTION COMMISSION REPORT—Question, Colonel Wilson Patten; Answer, Mr. Walpole 726

Habeas Corpus Suspension (Ireland) Act Continuance Bill [Bill 35]—
Moved, "That the Bill be now read a second time,"—(*Lord Naas*) .. 727
After long debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow.*

Metropolitan Poor Bill [Bill 9]—
Moved, "That the Bill be now read a second time,"—(*Mr. Gathorne Hardy*) 746
After long debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday,* 7th March.

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Duty on Dogs Bill [Bill 36]—
Moved, "That the Bill be now read a second time,"—(*Mr. Hunt*) .. 780
After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Railway Debenture Holders Bill [Bill 20]—
Moved, "That the Bill be now read a second time,"—(*Mr. Watkin*) .. 781
After debate, Motion *agreed to*:—Bill read a second time, and *committed* to a Select Committee.
List of the Committee 791

Church Rates Regulation Bill—*Ordered* (*Mr. Hubbard, Mr. Beresford Hope*); *presented,* and read the first time [Bill 42] 791

London Coal and Wine Duties Continuance Bill—Resolution in Committee:—Bill *ordered* (*Mr. Dodson, Lord John Manners, Mr. Hunt*); *presented,* and read the first time [Bill 43] 791

Lyon King of Arms (Scotland) Bill—*Ordered* (*Sir Graham Montgomery, Mr. Secretary Walpole, Mr. Hunt*); *presented,* and read the first time [Bill 44] .. 791

LORDS, FRIDAY, FEBRUARY 22.

HER ROYAL HIGHNESS THE PRINCESS OF WALES—An humble Address to Her Majesty—(*The Earl of Derby*)—*Agreed to, Nemine Dissentiente* .. 791

Tenure of Land (Ireland) Bill—
A Bill to simplify the Law of Tenure in Ireland—*Presented* (*The Marquess of Clanricarde*:)—*Moved,* "That the Bill be now read 1ª,"—(*The Marquess of Clanricarde*) 793
After debate, Motion *agreed to*:—Bill read 1ª, and to be *printed.* (No. 23.)

British North America Bill (No. 9)—
Bill *considered* in Committee, after debate 804
Amendments made: The Report thereof to be received on *Monday* next.

PATENTS FOR THE IMPROVEMENT OF SMALL ARMS—Question, Viscount Lifford; Answer, The Earl of Longford 807

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL—Notice (*The Earl of Derby*) 808

COMMONS, FRIDAY, FEBRUARY 22.

SANITARY CONDITION OF WALES—Question, Sir Thomas Lloyd; Answer, Mr. Corry 809

ADMIRALTY STEERING AND SAILING RULES—Question, Mr. Holland; Answer, Sir John Pakington 809

HOLYHEAD UNION—Question, Mr. Owen Stanley; Answer, Mr. G. Hardy .. 810

POSTAL SERVICE WITH THE UNITED STATES—Question, Mr. Baxter; Answer, Mr. Hunt 811

POOR LAW—RATING OF CHARITABLE INSTITUTIONS—Question, Mr. Biddulph; Answer, Mr. Earle 811

ARMY—GOVERNMENT POWDER MAGAZINES—Question, Mr. Serjeant Kinglake; Answer, General Peel 812

SUGAR DUTIES—DRAWBACK ON SUGAR—Question, Mr. Crum-Ewing; Answer, Mr. Hunt 812

GOVERNMENT SUPERINTENDENCE OF TELEGRAPH LINES—Question, Mr. W. E. Forster; Answer, Mr. Hunt 813

IRELAND—FENIAN PRISONERS—Explanation, Major Stuart Knox; Answer, Lord Naas 813

PRINCESS OF WALES—ADDRESS OF CONGRATULATION TO HER MAJESTY (*The Chancellor of the Exchequer*) *agreed to, Nemine Contradicente* .. 813

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Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

New Courts of Justice—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that all arrangements respecting the building of the New Courts of Justice should be effected under the sole responsibility of Her Majesty's Government,"—(*Mr. Bentinck*,)—instead thereof 814

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn*.

Question again proposed, "That Mr. Speaker do now leave the Chair."

India—The Maharajah of Mysore—Questions, Sir Henry Rawlinson, Sir Edward Colebrooke; Answer, Viscount Cranbourne 827

Administration of the Law—Observations, Sir Roundell Palmer; Reply, The Attorney General:—Debate thereon 841

Reduction of the Qualification for the Elective Franchise—Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer .. 886

Approaches to the Houses of Parliament—Observations, Mr. D. Bromley 888

Paris Exhibition Estimate—Question, Mr. Osborne; Answer, Mr. Bruce 890

Motion, by leave, *withdrawn*:—Committee *deferred* till *Monday* next.

Habeas Corpus Suspension (Ireland) Act Continuance Bill [Bill 35]—

Considered in Committee 898

A clause *added*:—Bill *reported*; as amended, *considered*: read the third time, and *passed*.

Sugar Duties Bill [Bill 37]—

Considered in Committee, and *reported* 904

Metropolis Gas Bill—*Ordered* (*Sir Stafford Northcote, Mr. Secretary Walpole, Lord John Manners*); *presented*, and read the first time [Bill 45] 904

Petit Juries (Ireland) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 46] 904

Court of Chancery (Ireland) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 47] .. 904

Common Law Courts (Ireland) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 48] .. 904

Charitable Donations and Bequests (Ireland) Bill—*Ordered* (*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*); *presented*, and read the first time [Bill 49] 905

Sea Coast Fisheries (Ireland) Bill—*Ordered* (*Mr. Blake, Colonel Tottenham, Mr. Brady*); *presented*, and read the first time [Bill 50] 905

Counsel to the Secretary of State for India Bill—*Ordered* (*Mr. Selwyn, Mr. Buxton, Mr. Coleridge*); *presented*, and read the first time [Bill 51] 905

LORDS, SATURDAY, FEBRUARY 23.

Habeas Corpus Suspension (Ireland) Act Continuance Bill—

Brought from the Commons; read 1^a; to be *printed*; and to be read 2^a on *Monday* next; and Standing Orders Nos. 37 and 38 to be considered in order to their being dispensed with,—(*The Earl of Derby*) (No. 24.)

LORDS, MONDAY, FEBRUARY 25.

Agricultural Gangs—Question, The Earl of Shaftesbury; Answer, The Earl of Belmore 906

Private Bills—Churchyards and Cemeteries—On Motion of *The Earl of Belmore* Standing Order 182 amended 906

Habeas Corpus Suspension (Ireland) Act Continuance Bill (No. 24)—
Moved, "That the Bill be now read 2^a,"—(*The Earl of Derby*) .. 908
After long debate, Motion *agreed to*:—Bill read 2^a accordingly: Committee *negatived*; Standing Orders Nos. 37 and 38 *considered* (according to Order) and *dispensed with*:—Bill read 3^a and *passed.*

EMPLOYMENT OF VOLUNTEERS IN CIVIL DISTURBANCES—Observations, Lord St. Leonards; Reply, Earl De Grey and Ripon:—Debate thereon .. 919

Masters and Operatives Bill (No. 3)—
House in Committee (according to Order) 930
An Amendment *moved* (*The Lord Cranworth*) and *agreed to.*
Title of Bill altered to "Masters and Workmen Bill."

COMMONS, MONDAY, FEBRUARY 25.

SPECIAL JURORS—Questions, Mr. Whatman, Mr. Owen Stanley; Answer, The Solicitor General 931

SERVIA—EVACUATION OF THE FORTRESSES—Question, Mr. Darby Griffith; Answer, Lord Stanley 932

JAMAICA—COURTS MARTIAL ON ENSIGN CULLEN AND SURGEON MORRIS—Question, Mr. Gilpin; Answer, Mr. Mowbray 933

IRELAND—THE LORD MAYOR'S BANQUET—CARDINAL CULLEN—Question, Mr. Newdegate; Answer, The Chancellor of the Exchequer 933

INDIA—COOLIE TRADE IN ASSAM—Question, Mr. Kinnaird; Answer, Viscount Cranbourne 936

NAVY—THE "GREENWICH SIXPENCE"—Question, Mr. Trevelyan; Answer, Sir Stafford Northcote 936

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE—
Order for Committee to consider the Act 2 & 3 *Will.* IV. c. 45, read.
Moved, "That Mr. Speaker do now leave the Chair,"—(*Mr. Chancellor of the Exchequer*) 937
After long debate, Motion, by leave, *withdrawn*; Committee *deferred* till *Thursday.*

Criminal Lunatics Bill [Bill 41]—
Bill read a second time, after short debate, and *committed* for *Thursday* .. 993

Trades Unions Bill [Bill 18]—
Bill *considered* in Committee 993
And after some time spent therein, Bill *reported*; as amended, to be *considered* on *Thursday.* [Bill 58.]

IRELAND—THE LORD MAYOR'S BANQUET—CARDINAL CULLEN—Observations, Mr. Newdegate 1001

Railway Construction Facilities Act (1864) Amendment Bill—*Ordered* (*Mr. Whalley, Mr. White*) 1001

LORDS, TUESDAY, FEBRUARY 26.

H. R. H. THE PRINCESS OF WALES—The QUEEN'S Answer to the Address of Friday last *reported* 1002

Public Schools Bill (No. 4)—
After short debate, House in Committee; an Amendment made; the Report thereof to be received on *Monday* next, and Bill to be *printed* as amended (No. 29) 1003

Office of Judge in the Admiralty, Divorce, and Probate Courts Bill (No. 11)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1003

After debate, Motion *agreed to*:—Bill read 2ª accordingly.

British North America Bill (No. 9)—

Moved, "That the Bill be now read 3ª,"—(*The Earl of Carnarvon*) .. 1011

An Amendment *moved,* to leave out ("now") and insert ("this Day Month,")—(*Lord Campbell.*)

After debate, Amendment *withdrawn:* Then the original Motion was *agreed to:* Bill read 3ª accordingly: Amendments made; Bill *passed,* and sent to the Commons.

COMMONS, TUESDAY, FEBRUARY 26.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE—Observations, The Chancellor of the Exchequer 1021

Moved, "That this House do now adjourn,"—(*Mr. Gladstone*)

After short debate, Motion *withdrawn.*

IRELAND — EMPLOYMENT OF THE IRISH CONSTABULARY — Question, The O'Donoghue; Answer, Lord Naas 1028

SCOTLAND—COLLECTORS OF TAXES—Question, Mr. E. Craufurd; Answer, Mr. Hunt 1028

STORM SIGNALS OF THE BOARD OF TRADE—Question, Colonel Sykes; Answer, Sir Stafford Northcote 1029

IRELAND—WATERFORD COUNTY ELECTION—THE 12TH LANCERS AT DUNGARVAN—Question, Mr. Serjeant Barry; Answer, General Peel 1030

RIOT AT WOLVERHAMPTON—Question, Mr. Whalley; Answer, Mr. Walpole .. 1031

H.R.H. THE PRINCESS OF WALES—Her Majesty's Answer to the Address *reported* 1032

ARMY (INDIA AND THE COLONIES)—*Moved,*

"That a Select Committee be appointed to inquire into the duties performed by the British Army in India and the Colonies; and also to inquire how far it might be desirable to employ certain portions of Her Majesty's Native Indian Army in our Colonial and Military Dependencies,"—(*Major Anson*) 1032

Amendment proposed, at the end of the Question, to add the words, "or to organize a force of Asiatic Troops for general service in suitable climates,"—(*Mr. O'Reilly.*)

After long debate, Question, "That those words be there added," put, and *agreed to*:—Words *added*:—Main Question, as amended, put, and *agreed to.*

Select Committee *appointed*:—List of the Committee 1064

Attorneys, &c., Certificate Duty Bill—

Motion for Leave (*Mr. Denman*) 1064

After short debate, Motion *agreed to*:—Bill to reduce the annual Duty upon the Certificates of Attorneys and Solicitors and others, *ordered* (*Mr. Denman, Mr. Vance, Sir John Ogilvy*); *presented,* and read the first time [Bill 53.]

FACTORY ACTS (EDUCATIONAL CLAUSES)—*Moved,*

"That in the opinion of this House, it is expedient to extend the Educational Clauses of the Factory Acts to children who are employed in agriculture,"—(*Mr. Fawcett*) .. 1066

After long debate, Motion *withdrawn.*

Hypothec Abolition (Scotland) Bill—

Motion for Leave (*Mr. Carnegie*) 1088

Hypothec Abolition (Scotland) Bill—continued.

After short debate, Motion *agreed to*:—Bill for the abolition of the Landlord's right of Hypothec in Scotland, *ordered* (*Mr. Carnegie, Mr. Fordyce, Mr. Edward Craufurd*); *presented*, and read the first time [Bill 54.]

Metropolitan Improvements Bill—*Ordered* (*Mr. Ayrton, Mr. Tite*); *presented*, and read the first time [Bill 55] 1089

COMMONS, WEDNESDAY, FEBRUARY 27.

Swansea Vale Railway Bill (*by Order*)—

Bill read a second time, after short debate, and *committed* 1089

Ireland—Bishop Moriarty—Explanation, Lord Naas 1090

British North America Bill—Question, Mr. Hadfield; Answer, Lord Naas 1090

Transubstantiation, &c., Declaration Abolition Bill [Bill 6]—

Moved, "That the Bill be now read a second time,"—(*Sir C. O'Loghlen*) 1091

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Tuesday*, 12th March.

Offices and Oaths Bill [Bill 7]—

Moved, "That the Bill be now read a second time,"—(*Sir C. O'Loghlen*) 1093

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Newdegate.*)

After long debate, Question put, "That the word 'now' stand part of the Question:"—The House *divided*; Ayes 195, Noes 93; Majority 102:—Main Question, put, and *agreed to*:—Bill read a second time, and *committed* for *Thursday*, 14th March.

Division List, Ayes and Noes 1128

Dublin University Professorships Bill [Bill 10]—

Moved, "That the Bill be now read a second time,"—(*Mr. Lawson*) .. 1130

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow*.

Execution of Deeds Bill [Bill 26]—

Moved, "That the Bill be now read a second time,"—(*Mr. Goldney*) .. 1133

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *To-morrow*.

Sale and Purchase of Shares Bill [Bill 38]—

Moved, "That the Bill be now read a second time,"—(*Mr. Leeman*) .. 1134

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Fildes*:)—Question proposed, "That the word 'now' stand part of the Question:"—After debate, Debate *adjourned* till *Tuesday* next.

LORDS, THURSDAY, FEBRUARY 28.

Hypothec Amendment (Scotland) Bill (No. 12)—

Order of the Day for the Second Reading read 1141

After short debate, Second Reading *put off* till *To-morrow*.

COMMONS, THURSDAY, FEBRUARY 28.

Dogs—Question, Sir Andrew Agnew; Answer, Mr. Walpole 1143

Paris Universal Exhibition, 1867—English Jurors—Question, Viscount Amberley; Answer, Mr. Corry 1143

Navy—Lieutenant Brand—Question, Mr. Osborne; Answer, Mr. Buxton .. 1143

India—Contract Law—Question, Mr. Kinnaird; Answer, Viscount Cranbourne 1144

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ARMY—LAND TRANSPORT—Question, Captain Vivian; Answer, General Peel 1144

SCOTLAND—GAME LAWS—Question, Mr. Fordyce; Answer, Mr. Walpole .. 1145

THE "TORNADO"—Question, Mr. Hanbury-Tracy; Answer, Lord Stanley .. 1145

REPORTS OF THE BRIBERY COMMISSIONERS—Question, Captain Gridley; Answer, The Chancellor of the Exchequer 1145

THE BRIBERY COMMISSIONS—Question, Captain Otway; Answer, The Chancellor of the Exchequer 1146

IRELAND—VARTRY WATERWORKS EMBANKMENT—Question, Mr. Fitzwilliam Dick; Answer, Lord Naas 1146

EDUCATION—Copy of Minute by the Lords of Her Majesty's Most Honourable Privy Council *presented* [by Command]:—Debate thereon .. 1147

British North America Bill (*Lords*) [Bill 52]—

Moved, "That the Bill be now read a second time,"—(*Mr. Adderley*) .. 1164

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Monday* next.

Duty on Dogs Bill [Bill 36]—

Bill *considered* in Committee 1196

And, after short time spent therein, Bill *reported.*

Sugar Duties Bill [Bill 37]—

Consideration, as amended, deferred till *Monday* next 1202

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE—

Order for Committee to consider the Act 2 & 3 *Will.* IV. c. 45, read, and, after short debate, *discharged* 1203

Counsel to the Secretary of State for India Bill [Bill 51]—

Moved, "That the Bill be now read a second time," —(*Mr. Selwyn*) .. 1203

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Serjeant Gaselee*:)—Question proposed, "That the word 'now' stand part of the Question."

After debate, *Moved*, "That the Debate be now adjourned,"—(*Mr. White*:)—The House *divided*; Ayes 34, Noes 58; Majority 24.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

Charity Funds and Estates Bill—*Ordered* (*Mr. Richard Young, Mr. William Edward Forster*); *presented*, and read the first time [Bill 60] 1210

LORDS, FRIDAY, MARCH 1.

THE CONVERTED ENFIELD RIFLE—Question, Earl De Grey and Ripon; Answer, The Earl of Longford 1211

MILITARY AT ELECTIONS IN IRELAND—Motion for Papers—(*The Duke of St. Albans*) 1213

After short debate, Motion *withdrawn.*

Hypothec Amendment (Scotland) Bill (No. 12)—

Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1222

After debate, on Question, *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

COMMONS, FRIDAY, MARCH 1.

GAS AND WATER BILLS—Instruction to the Committee of Selection—(*Colonel Wilson Patten*) 1228

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METROPOLIS—BUNHILL FIELDS CEMETERY—Question, Mr. Remington Mills; Answer, Mr. Mowbray 1229

JURYMEN (METROPOLIS)—Question, Mr. Alderman Lusk; Answer, The Solicitor General 1229

SCOTLAND—ROAD REFORM—Question, Sir Robert Anstruther; Answer, Mr. Walpole 1231

NAVY—TENDERS FOR GUNBOATS—Question, Mr. Henderson; Answer, Sir John Pakington 1231

GOVERNMENT PRISON CLERKS—Question, Mr. Alderman Lusk; Answer, Mr. Hunt 1232

PARIS UNIVERSAL EXHIBITION—MUNITIONS OF WAR—Question, Mr. Beresford Hope; Answer, General Peel 1232

SUPPLEMENTARY ARMY ESTIMATES—Question, Captain Vivian; Answer, General Peel 1233

WAR IN THE RIVER PLATE—Question, Mr. Laird; Answer, Lord Stanley .. 1233

DISTURBANCES IN IRELAND—THE "CORK HERALD" REPORTER—Question, Mr. O'Beirne; Answer, Lord Naas 1233

NAVY—COURTS MARTIAL—Question, Mr. Harvey Lewis; Answer, Sir John Pakington 1234

REPRESENTATION OF THE PEOPLE—Question, Mr. White; Answer, The Chancellor of the Exchequer 1235

SUGAR DUTIES—Question, Mr. Gladstone; Answer, Mr. Hunt .. 1237

NAVY—LIEUTENANT BRAND—Question, Mr. Osborne; Answer, Sir John Pakington 1238

IRELAND—INSPECTORS OF WEIGHTS AND MEASURES—Question, Mr. Bruen; Answer, Lord Naas 1239

DISQUALIFICATION OF CROWN OFFICERS—DRAUGHTSMAN TO THE TREASURY—Question, Mr. Serjeant Gaselee 1239

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

IRELAND—RELEASE OF JOHN MORRIS—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Copy of the Opinion of the Law Advisers of the Crown in Ireland relative to the release of John Morris, lately a prisoner, arrested on a charge of Treason-felony and Fenianism,"—(*Mr. Bruen*,)—instead thereof .. 1240

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment *withdrawn*.

LIGHT AND AIR TO ANCIENT WINDOWS—Observations, Mr. Goldney; Reply, The Attorney General 1243

EXPORTATION OF COOLIES (EAST INDIES)—Observations, Mr. Baillie Cochrane; Reply, Mr. Adderley 1246

LAW OF MASTER AND SERVANT—Question, Lord Elcho; Answer, Mr. Walpole:—Debate thereon 1259

REPRESENTATION OF SCOTLAND—Question, Sir William Stirling-Maxwell; Reply, The Chancellor of the Exchequer:—Debate thereon .. 1262

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to*.

SUPPLY—*considered* in Committee—EXCESSES ON GRANTS—

£56,788 5*s*. 6*d*., for sums to make good Excesses on Grants for certain Civil Services 1271

Resolution *agreed to;* to be reported upon *Monday* next.

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Factory Acts Extension Bill
Hours of Labour Regulation Bill

Motion for Leave (*Mr. Secretary Walpole*) 1271
After long debate, Motion *agreed to*:—Bill for the Extension of the Factory Acts, *ordered* (*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington*); *presented*, and read the first time [Bill 62.]
Bill for regulating the Hours of Labour for children, young persons, and women employed in workshops, *ordered* (*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington*); *presented*, and read the first time [Bill 63.]

Religious, &c., Buildings (Sites) Bill—

Motion for Leave (*Mr. Hadfield*) 1283
After short debate, Motion *agreed to*:—Bill for facilitating the acquisition and enjoyment of Sites for Buildings for religious, educational, literary, scientific, and other charitable purposes, *ordered* (*Mr. Hadfield, Mr. Bazley, Mr. Akroyd, Mr. Leeman*); *presented*, and read the first time [Bill 64.]

Oyster and Mussel Fisheries Bill—*Ordered* (*Mr. Stephen Cave, Sir Stafford Northcote*); *presented*, and read the first time [Bill 61] 1284

LORDS, MONDAY, MARCH 4.

Ministerial Explanations—(*The Earl of Derby*) 1284

Bishopric in Cornwall—Petition of Inhabitants of Cornwall *presented* (*The Earl of Devon*) 1300
After debate, Petition *ordered* to lie on the table.

COMMONS, MONDAY, MARCH 4.

Representation of the People—Borough Franchise—Question, Mr. Warner; Answer, The Chancellor of the Exchequer 1306

Case of the "Tornado"—Question, Mr. Alderman Lusk; Answer, Lord Stanley 1306

Sanitary Condition of Liverpool—Question, Mr. Samuelson; Answer, Mr. Walpole 1307

Spirits, Beer, and Wine Licences—Question, Mr. Pease; Answer, Mr. Walpole 1307

Army Estimates—Question, Captain Vivian; Answer, General Peel .. 1308

Representation of the People—Ministerial Explanations—Question, Mr. Gladstone; Answer, The Chancellor of the Exchequer 1309

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Representation of the People—Ministerial Explanations—(*The Chancellor of the Exchequer*) 1309
Motion, by leave, *withdrawn*:—Committee *deferred* till *Wednesday*.

British North America Bill (*Lords*) [Bill 52]—

Moved, "That Mr. Speaker do now leave the Chair" 1310
Moved, "That this House do now adjourn,"—(*Mr. Osborne*) .. 1311
After short debate, Motion, by leave, *withdrawn*:—Main Question put, and *agreed to*.
Bill *considered* in Committee; and, after some time spent therein, Bill reported with Amendments.

CRIMINAL LUNATICS BILL—Order for Committee read—

MINISTERIAL EXPLANATIONS—Question, Mr. Osborne; Answer, The Chancellor of the Exchequer 1323

Moved, "That this House do now adjourn,"—(*Mr. Osborne:*)—After short debate, Motion, by leave, *withdrawn.*

Committee *deferred* till *Thursday.*

Duty on Dogs Bill [Bill 36]—

Bill *considered* as amended 1324

Further Consideration *deferred* till *Wednesday.*

Sugar Duties Bill [Bill 37]—

After short debate, Bill *re-committed* for *Wednesday* 1325

Oyster and Mussel Fisheries Bill [Bill 61]—

After short debate, Bill read a second time, and *committed* for *Wednesday* .. 1325

Counsel to the Secretary of State for India Bill [Bill 51]—

Moved, "That Mr. Speaker do now leave the Chair,"—(*Mr. Selwyn*) .. 1326

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Serjeant Gaselee,*)—instead thereof

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment and Motion, by leave, *withdrawn.*

LORDS, TUESDAY, MARCH 5.

Their Lordships met; and having gone through the business on the Paper, without debate, House adjourned.

COMMONS, TUESDAY, MARCH 5.

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS—Question, Mr. Darby Griffith; Answer, Lord Stanley 1336

MERSEY DOCKS AND HARBOUR BOARD BILL—Question, Mr. Tollemache; Answer, Sir Stafford Northcote 1336

LANCASTER, YARMOUTH, &c., COMMISSIONS—Question, Mr. Otway; Answer, The Chancellor of the Exchequer 1338

CASE OF THE "TORNADO"—Question, Mr. Alderman Lusk; Answer, Lord Stanley 1338

CANADA—EXTRADITION OF M. LAMIRANDE—Question, Mr. M'Cullagh Torrens; Answer, Mr. Adderley 1339

ADJOURNMENT OF THE HOUSE—*Moved,* "That the House at its rising do adjourn till To-morrow at Two o'clock."

MINISTERIAL EXPLANATIONS—(*The Chancellor of the Exchequer:*)—Long debate thereon 1339

PUBLIC BUSINESS—Observations 1370

Motion *agreed to:*—House at rising to adjourn till To-morrow at Two of the clock.

LIMITED LIABILITY ACTS—*Moved,* "That a Select Committee be appointed to inquire into the operation of the Limited Liability Acts,"—(*Mr. Watkin*) 1370

After debate, Motion *agreed to.*

List of the Committee 1387

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Game Preservation (Scotland) Bill—

Motion for Leave (*Mr. M'Lagan*) 1388

After short debate, Motion *agreed to*:—Bill to amend the Laws relating to the preservation of Game in Scotland, *ordered* (*Mr. M'Lagan, Sir William Stirling-Maxwell, Mr. Fordyce*); *presented*, and read the first time [Bill 65]

Sale and Purchase of Shares Bill [Bill 38]—

Order read, for resuming Adjourned Debate on Question [27th February], "That the Bill be now read a second time:" —Question again proposed: —Debate *resumed* 1397

After debate, Question put:—The House *divided;* Ayes 86, Noes 41; Majority 45.

Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Friday*.

Execution of Deeds Bill [Bill 26]—

Order for Committee read:—*Moved*, "That Mr. Speaker do now leave the Chair" 1416

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Attorney General*,)—instead thereof 1417

Question proposed, "That the words proposed to be left out stand part of the Question:"—After short debate, Amendment and Motion, by leave, *withdrawn*:—Committee *deferred* till *Friday*, 15th March.

COMMONS, WEDNESDAY, MARCH 6.

Disturbances in Ireland—Question, Mr. Monsell; Answer, Lord Naas .. 1418

Tests Abolition (Oxford) Bill [Bill 16]—

Moved, "That the Bill be now read a second time,"—(*Mr. Coleridge*) .. 1419

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Wednesday*, 10th April.

Ways and Means — Resolution in Committee — Consolidated Fund (£369,118 5*s*. 6*d*.) 1427

LORDS, THURSDAY, MARCH 7.

Disturbances in Ireland—Question, Earl Granville; Answer, Earl Derby .. 1427

Public Schools Bill (No. 29)—

Amendment *reported* (according to Order) 1428

After short debate, further Amendments made, and Bill to be read 3ª *To-morrow*.

Hypothec Amendment (Scotland) Bill (No. 12)—

House in Committee (according to Order) 1428

After short debate, Bill *reported* without Amendment; Amendments made; House to be again in Committee on *Thursday* next, and Bill to be printed as amended (No. 33.)

Trades Unions Bill (No. 31)—

Moved, "That the Bill be now read 2ª,"—(*The Earl of Belmore*) .. 1432

After debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

COMMONS, THURSDAY, MARCH 7.

Admission of English Salt into France — Question, Mr. Tollemache; Answer, Lord Stanley 1443

Statues of the Plantagenets at Fontevrault—Question, Mr. Owen Stanley; Answer, Lord Stanley 1444

Sanitary State of Holyhead—Question, Mr. Owen Stanley; Answer, Mr. Walpole 1445

Physical Properties of Cholerine — Questions, Sir Jervoise Jervoise; Answers, Mr. Walpole, Mr. Corry 1446

Ireland—Court of Admiralty—Question, Mr. Blake; Answer, The Attorney General for Ireland 1447

Eastern Policy of Russia—Question, Mr. Layard; Answer, Lord Stanley 1447

Disturbances in Ireland—Question, Mr. Chichester Fortescue; Answer, Mr. Walpole 1448

SUPPLY—Army Estimates—*considered* in Committee.

(In the Committee.)

139,163 Land Forces (including 9,778 all Ranks, to be employed with the depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions) 1448

After long debate, Vote *agreed to* :—Resolution to be *reported To-morrow.*

Metropolitan Poor Bill [Bill 9]—

Bill *considered* in Committee 1510

Bill *reported ;* to be *printed,* as amended [Bill 66]; re-committed for *To-morrow.*

Uniformity Act Amendment Bill—

Resolution in Committee—Motion for Leave (*Mr. Fawcett*) 1510

Resolution *reported* :—Bill *ordered* (*Mr. Fawcett, Mr. Bouverie*); *presented,* and read the first time [Bill 68.]

Ways and Means—

Resolution [March 6] *reported* and *agreed to* : — Consolidated Fund (£369,118 5*s.* 6*d.*)—Bill *ordered* (*Mr. Dodson, Mr. Chancellor of the Exchequer, Mr. Hunt*) ; *presented,* and read the first time .. 1511

Chester Courts Bill—*Ordered* (*Earl Grosvenor, Mr. William Henry Gladstone*); *presented,* and read the first time [Bill 69] 1511

LORDS, FRIDAY, MARCH 8.

Disturbances in Ireland—Question, The Marquess of Clanricarde; Answer, The Earl of Derby 1511

Insurrection in Crete—Motion for Papers (*The Duke of Argyll*) .. 1512

After long debate, Motion *withdrawn.*

Case of the "Tornado"—Postponement of Motion (*The Marquess of Clanricarde*) 1544

The Militia—Question, Earl Cowper; Answer, The Earl of Longford .. 1545

Public Schools Bill (No. 29)—

Moved, "That the Bill be now read 3^a,"—(*The Earl of Derby*) .. 1546

After short debate, Motion *agreed to* :—Bill read 3^a and *passed,* and sent to the Commons.

COMMONS, FRIDAY, MARCH 8.

Mexico—The Bondholders—Question, Mr. Harvey Lewis; Answer, Lord Stanley 1547

Representation of the People—Lancaster, Reigate, Totnes, Yarmouth—Question, Mr. Serjeant Gaselee; Answer, The Chancellor of the Exchequer 1548

Disturbances in Ireland—The Fenian Conspiracy — Question, Mr. H. Herbert; Answer, Mr. Walpole 1548

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India—English Resident at Leh—Question, Lord William Hay; Answer, Sir James Fergusson 1549

Egypt—Suez Canal—Question, Sir Henry Rawlinson; Answer, Lord Stanley 1549

Metropolis—Ornamental Water in Regent's Park—Question, Mr. Thomas Chambers; Answer, Lord John Manners 1550

Disturbances in Ireland—Question, Major S. Knox; Answer, Mr. Walpole 1550

Supply—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

Employment of Volunteers in Civil Disturbances—Observations, Mr. W. E. Forster, 1550; Reply, Mr. Walpole:—Debate thereon 1562

Representation of the People—Ministerial Arrangements—Question, Mr. Ayrton; Answer, The Chancellor of the Exchequer 1573

Employment of Volunteers in Civil Disturbances—Observations, Mr. Thomas Hughes; Reply, The Attorney General:—Short debate thereon 1575

Paris Universal Exhibition, 1867—Search of Passengers' Baggage—Resolution—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "as the Customs Revenue is now derived from an exceedingly small number of articles, the prices of most of which in London and Paris are equal, this House considers that no appreciable injury would be inflicted upon the income of the Country were the present practice of the search of the baggage of travellers at Dover, Folkestone, Newhaven, and in London suspended during the period of the French Exhibition of 1867,"—(*Mr. Beresford Hope,*)—instead thereof .. 1581

Question proposed, "That the words proposed to be left out stand part of the Question:"—After debate, Amendment, by leave, *withdrawn.*

Royal Irish Academy—Observations, Mr. Gregory; Reply, Mr. Hunt .. 1596

The Straits Settlement — Observations, Mr. O'Reilly; Reply, Mr. Adderley 1603

After debate, Motion, "That Mr. Speaker do now leave the Chair," *withdrawn*:—Committee *deferred* till *Monday* next.

Metropolitan Poor (*re-committed*) **Bill** [Bill 66]—

Bill *considered* in Committee 1608

After debate, Committee report Progress; to sit again upon *Monday* next.

LORDS, MONDAY, MARCH 11.

Clerical Vestments Bill—

After short debate, a Bill for better enforcing Uniformity in the Clerical Vestments and Ornaments to be worn by Ministers of the United Church of England and Ireland in the Performance of Public Worship, *presented* (*The Earl of Shaftesbury*) read 1ª. (No. 39.) 1624

Representation of the People—Reform Statistics—Question, Earl Granville; Answer, The Earl of Derby 1626

British Museum—Natural History Collection—Question, Lord Lyveden; Answer, Earl Stanhope 1626

Mr. France's Pamphlet—Resolution—

Report of the Select Committee on Mr. France's Pamphlet read .. 1627

Resolution (*The Lord Chancellor*) *agreed to.*

Representation of the People—Electors in Cities and Boroughs—

Motion for Papers (*Earl Russell*) 1633

After debate, Motion *agreed to.*

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The Dutch in Sumatra—Question, Mr. White; Answer, Lord Stanley .. 1645

India—Famine in Orissa—Question, Mr. Barnes; Answer, Sir James Fergusson 1645

The Reform Bill—Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer 1646

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Army Estimates—Question, Captain Vivian; Answer, The Chancellor of the Exchequer 1647

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Representation of the People—Reform Statistics—Question, Mr. Locke; Answer, The Chancellor of the Exchequer 1648
Moved, "That this House do now adjourn,"—(*Mr. Horsman.*)
After short debate, Motion, by leave, *withdrawn.*

Valuation of Property Bill [Bill 12]—
Moved, "That the Bill be now read a second time,"—(*Mr. Hunt*) .. 1650
Motion *agreed to*:—Bill read a second time, and *committed* to a Select Committee:—List of the Committee 1673

Metropolitan Poor Bill [Bill 66]—
Bill *considered* in Committee on re-committal 1673
And, after long time spent therein, Bill *reported;* as amended, to be considered upon *Wednesday.*

Sugar Duties Bill [Bill 37]—
Bill, as amended, *considered* 1698

LORDS, TUESDAY, MARCH 12.

Railway Traffic Protection Bill—
A Bill for securing the Traffic upon Railways from Interruption by the Creditors of Companies—*Presented* (*The Lord Redesdale*); and, after short debate, read 1ª (No. 43) 1699

Recovery of Certain Debts (Scotland) Bill (No. 14)—
Moved, "That the Bill be now read 2ª,"—(*The Lord Chancellor*) .. 1699
After short debate, Motion *agreed to*:—Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

British North America Bill (No. 38)—
Commons Amendments *considered* 1701
And, after short debate, *agreed to.*

COMMONS, TUESDAY, MARCH 12.

Cattle Plague—Compensation for Slaughtered Cattle—Question, Mr. Read; Answer, Mr. Hunt 1702

Representation of the People—Reform Statistics—Question, Mr. Lowe; Answer, The Chancellor of the Exchequer 1702

Stalybridge Railway Station—Question, Mr. Cheetham; Answer, Mr. Stephen Cave 1703

Scotland—Canongate Church, Edinburgh—Question, Mr. Moncreiff; Answer, Mr. Walpole 1704

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RAILWAY COMPANIES ARRANGEMENTS BILL—Question, Mr. Fildes; Answer, Mr. Stephen Cave 1704

Oxford and Cambridge Universities Education Bill—

Motion for Leave (*Mr. Ewart*) 1704

After short debate, Motion *agreed to*:—Bill to open the benefits of education in the Universities of Oxford and Cambridge to students, without compelling them to be Members of a College or Hall in those Universities, *ordered* (*Mr. Ewart, Mr. Neate, Mr. Pollard-Urquhart.*)

FIRE PROTECTION—SELECT COMMITTEE—*Moved*,

"That a Select Committee be *appointed* 'to inquire into the existing legislative provisions for the protection of Life and Property against Fires in the United Kingdom, and as to the best means to be adopted for ascertaining the causes and preventing the Frequency of Fires,'"—(*Mr. M'Lagan*) 1708

And after debate, Motion *agreed to*:—List of the Committee .. 1715

DIVORCE BILLS—Select Committee on Divorce Bills *nominated* .. 1715

COMMONS, WEDNESDAY, MARCH 13.

Libel Bill [Bill 11]—

Moved, "That the Bill be now read a second time,"—(*Sir Colman O'Loghlen*) 1716

After long debate, Motion *agreed to*:—Bill read a second time, and *committed* to a Select Committee.

List of the Committee 1741

Industrial Schools (Ireland) Bill [Bill 17]—

Moved, "That the Bill be now read a second time,"—(*The O'Conor Don*) 1741

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months,"—(*Mr. Peel Dawson*:)—Question proposed, "That the word 'now' stand part of the Question."

After long debate, Amendment, by leave, *withdrawn*:—Main Question put, and *agreed to*:—Bill read a second time, and *committed* for *Tuesday* 26th March.

Criminal Law Bill [Bill 8]—

Bill *considered* in Committee 1759

And, after some time spent therein, Committee report Progress.

Inclosure Bill—*Ordered* (*Mr. Secretary Walpole, Mr. Hunt*); *presented*, and read the first time [Bill 72] 1764

LORDS, THURSDAY, MARCH 14.

Hypothec Amendment (Scotland) Bill [H.L.] (No. 33)—

Bill *referred* to a Select Committee:—List of the Committee 1765

Trades Unions Bill (No. 31)—

Order of the Day for the House to be put into Committee on the said Bill read 1765

After short debate, House in Committee; Bill *reported*, without Amendment; Amendments made; Bill *re-committed* (No. 44.)

Railway Traffic Protection Bill (No. 43)—

Moved, "That the Bill be now read 2^a,"—(*The Lord Redesdale*) .. 1766

After short debate, Motion *agreed to*:—Bill read 2^a accordingly.

RECRUITING COMMISSION—*Moved*,

"That an humble Address be presented to Her Majesty for, Return of the Recommendations of the Recruiting Commission of 1866, and the Steps taken thereon,"—(*The Earl of Dalhousie*) 1768

After long debate, Motion *agreed to*.

COMMONS, THURSDAY, MARCH 14.

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PRIVATE BILLS—BOARD OF TRADE REPORTS—Motion (*Mr. S. Cave*) .. 1800

BANNS OF MATRIMONY—Question, Mr. Monk; Answer, The Attorney General 1800

PARIS UNIVERSAL EXHIBITION—Question, Mr. Akroyd; Answer, Mr. Hunt 1801

REPRESENTATION OF SCOTLAND—Question, Colonel Sykes; Answer, The Chancellor of the Exchequer 1801

IRELAND—WATERFORD ELECTION—Question, Mr. Lawson; Answer, The Attorney General for Ireland 1802

GREENWICH HOSPITAL—Question, Sir Charles Bright; Answer, Mr. Du Cane 1803

NAVY—CHAIN CABLES AND ANCHORS—Question, Mr. Laird; Answer, Lord Henry Lennox 1804

COLONY OF BRITISH HONDURAS — Question, Mr. Goschen; Answer, Mr. Adderley 1805

BOARD OF TRADE RETURNS—Question, Mr. Goschen; Answer, Mr. S. Cave 1806

POSTAGE TO INDIA—Question, Mr. Crawford; Answer, Mr. Hunt .. 1807

ENGINE DRIVERS' STRIKE — Question, Mr. Thomson Hankey; Answer, Mr. Walpole 1807

SUPPLY—Order for Committee read:—Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

INDIA, CHINA, AND AUSTRALIAN MAILS — Question, Mr. Childers; Answer, Mr. Hunt 1807

REPRESENTATION OF THE PEOPLE—ELECTORAL STATISTICS—Observations, Mr. Locke; Reply, Mr. Gathorne Hardy:—Long debate thereon .. 1809

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—*considered* in Committee—NAVY ESTIMATES—

Statement of the Secretary of the Navy (*Lord Henry Lennox*) in moving the First Resolution—

"That 67,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March, 1868, including 16,200 Royal Marines .. 1824

After long debate, Committee report Progress; to sit again *To-morrow.*

Court of Chancery (Ireland) Bill [Bill 47]—

Moved, "That the Bill be now read a second time,"—(*The Solicitor General for Ireland*) 1858

After short debate, Motion *agreed to*:—Bill read a second time, and *committed* for *Thursday* next.

Metropolitan Poor Bill [Bill 66]—

Moved, "That the Bill be now read the third time,"—(*Mr. Gathorne Hardy*) 1861

After debate, Motion *agreed to*:—Bill read the third time, and *passed.*

Lyon King of Arms (Scotland) Bill [Bill 44]—

After short debate, Bill read a second time 1867

Grand Juries (Ireland) Bill—

Motion for Leave (*Mr. Peel Dawson*) 1867

After short debate, Motion *agreed to*:—Bill "to amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland," *ordered* (*Mr. Peel Dawson, Mr. Leader, Sir C. O'Loghlen, Mr. Lanyon*); *presented,* and read the first time [Bill 73.]

Bankruptcy Bill—

Motion for Leave (*Mr. Attorney General*) 1867

After long debate, Motion *agreed to*:—Bill to consolidate and amend the Acts relating to Bankruptcy in England," *ordered* (*Mr. Attorney General, Mr. Secretary Walpole, Mr. Solicitor General*); *presented,* and read the first time [Bill 74.]

MINES—Select Committee *nominated* 1887

Judgment Debtors Bill—*Ordered* (*Mr. Attorney General, Mr. Secretary Walpole, Mr. Solicitor General*); *presented*, and read the first time [Bill 75] 1888

Bankruptcy Acts Repeal Bill—*Ordered* (*Mr. Attorney General, Mr. Secretary Walpole, Mr. Solicitor General*); *presented*, and read the first time [Bill 76] .. 1888

LORDS, FRIDAY, MARCH 15.

TURKEY—TURKISH FORTRESSES IN SERVIA—Notice of Motion (*Earl Russell*) withdrawn 1888

PARLIAMENTARY REFORM—Petition of Electors of Wolverhampton *presented* (*Earl Grey*) 1890

After long debate, Petition *ordered* to lie upon the Table.

Traffic Regulation (Metropolis) Bill (No. 35)—

Moved, "That the House do resolve itself into a Committee on the said Bill,"—(*The Earl of Belmore*) 1909

After short debate, Motion *agreed to*: House in Committee; Amendments made, Report to be received on *Tuesday* next. (No. 46.)

COMMONS, FRIDAY, MARCH 15.

MR. CHURCHWARD'S APPOINTMENT—Question, Mr. Taylor; Answer, Mr. Walpole 1914

IRELAND—SALMON FISHERIES—Question, Mr. Blake; Answer, The Attorney General for Ireland 1915

METROPOLIS—HYDE PARK—Question, Mr. Alderman Lusk; Answer, Lord John Manners 1916

MILLWALL IRONWORKS COMPANY—Question, Mr. Weguelin; Answer, Sir John Pakington 1916

SUPPLY—Order for Committee read; Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair:"—

LIFE SENTENCES—Question, Mr. Hibbert; Answer, Mr. Walpole:—Long debate thereon 1918

BRITISH TROOPS IN NEW ZEALAND—Observations, Mr. Gorst; Reply, Mr. Adderley 1932

SHIPPING RETURNS—Observations, Mr. Candlish; Reply, Mr. S. Cave .. 1934

IRELAND—RAILWAYS—RESOLUTION—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is the opinion of this House that, with a view to affording to Irish Railways the full relief contemplated by the Act of last Session, intituled, 'The Railway Companies (Ireland) Temporary Advances Act, 1866,' it is expedient, under existing circumstances, that the Lords Commissioners of Her Majesty's Treasury should exercise the powers conferred on them under the fourth Section, by directing that the period within which temporary advances should be made be extended to the maximum period allowed by the Act,"—(*Mr. Blake*,)—instead thereof 1937

Question proposed, "That the words proposed to be left out stand part of the Question:"—After long debate, Amendment *withdrawn*.

FLOGGING IN THE ARMY—Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, reserving for future consideration when requisite the question of the exigencies of a state of war, is of opinion that it is unnecessary that the punishment of flogging should be awarded during the time of peace to Soldiers of the Army or Corps of Royal Marines serving on shore,"—(*Mr. Otway*,)—instead thereof .. 1951

After long debate, Question put:—The House *divided*; Ayes 107, Noes 108; Majority 1:—Words *added*:—Main Question, as amended, put and *agreed to*.

SUPPLY—*Resolved*, That this House will immediately resolve itself into the Committee of Supply.

SUPPLY—*considered* in Committee—ARMY ESTIMATES—Votes *on Account* 1991

SUPPLY—NAVY ESTIMATES—
(28.) £1,000,000, Wages, &c., to Seamen and Marines (*on Account*) .. 1992
After short debate, Vote *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES (*on Account*)—
That a sum, not exceeding £1,924,000, be granted to Her Majesty, on account, for or towards defraying the Charge of the following Civil Services, to the 31st day of March, 1868 1992
[Then the several Services set forth at length.]
Vote *agreed to*:—Resolutions to be reported upon *Monday* next.

Charitable Donations and Bequests (Ireland) Bill [Bill 49]—
After short debate, Bill read a second time, and *committed* for *Friday*, 5th April 1996

Mutiny Bill—Bill for punishing Mutiny and Desertion, and for the better payment of the Army and their Quarters, *presented*, and read the first time.

APPENDIX.

Speech of the Right Hon. C. P. VILLIERS on the Second Reading of the *Metropolitan Poor Bill*, February 21 [*a Revised Report*].

Speech of the Right Hon. C. P. VILLIERS on the Second Reading of the *Valuation of Property Bill*, March 11 [*a Revised Report*].

LORDS.

SAT FIRST.

THURSDAY, FEBRUARY 7.

The Marquess of Exeter, after the Death of his Father.

FRIDAY, FEBRUARY 8.

The Lord Tyrone, after the Death of his Father.

FRIDAY, FEBRUARY 22.

The Duke of Brandon, after the Death of his Father.

THURSDAY, MARCH 14.

The Lord Feversham, after the Death of his Father.

COMMONS.

NEW WRITS DURING THE RECESS.

TUESDAY, FEBRUARY 5.

MR. SPEAKER acquainted the House that, during the Recess, he had issued Warrants for New Writs—

For *Brecknock Borough*, *v.* Earl of Brecknock, now Marquess Camden.

For *Penryn*, *v.* Hon. Thomas George Baring, now Lord Northbrook.

For *Gloucester County* (Western Division), *v.* John Rolt, Esq., Attorney General.

For *Pembroke County*, *v.* George Lort Phillips, Esq., deceased.

For *Guildford*, *v.* Sir William Bovill, Chief Justice of the Common Pleas.

For *Tipperary*, *v.* John Blake Dillon, Esq., deceased.

For *Belfast*, *v.* Sir Hugh M'Calmont Cairns, Judge of the Court of Appeal in Chancery.

For *Wexford County*, *v.* John George, Esq., Judge of the Court of Queen's Bench in Ireland.

For *Waterford County*, *v.* Earl of Tyrone, now Marquess of Waterford.

For *Armagh City*, *v.* Stearne Ball Miller, Esq., Judge of the Court of Bankruptcy and Insolvency in Ireland.

NEW WRITS ISSUED.

TUESDAY, FEBRUARY 5.

For *Northampton County* (Northern Division), *v.* Lord Burghley, now Marquess of Exeter.

For *Suffolk* (Eastern Division), *v.* Sir Edward Clarence Kerrison, Baronet, Chiltern Hundreds.

WEDNESDAY, FEBRUARY 6.

For *The College of the Holy Trinity, Dublin*, *v.* Right Hon. John Edward Walsh, Master of the Rolls for Ireland.

For *Galway Town*, *v.* Right Hon. Michael Morris, Attorney General for Ireland.

For *Andover*, *v.* William Henry Humphery, Esq., Chiltern Hundreds.

THURSDAY, FEBRUARY 7.

For *Cork County*, *v.* George Richard Barry, Esq., deceased.

FRIDAY, FEBRUARY 8.

For *Colchester*, *v.* Taverner John Miller, Esq., Manor of Northstead.

FRIDAY, FEBRUARY 22.

For *York County* (North Riding), *v.* The Hon. William Ernest Duncombe, now Lord Feversham.

WEDNESDAY, FEBRUARY 27.

For *Salop* (Southern Division), *v.* Colonel The Hon. Percy Egerton Herbert, Treasurer of the Household.

THURSDAY, MARCH 7.

For *Salop* (Northern Division), *v.* The Hon. Adelbert Wellington Brownlow Cust, now Earl Brownlow.

FRIDAY, MARCH 8.

For *Droitwich*, *v.* Right Hon. Sir John Somerset Pakington, Baronet, Secretary of State.

For *Tyrone*, *v.* Right Hon. Henry Thomas Lowry Corry, First Commissioner of the Admiralty.

For *Devon County* (Northern Division), *v.* Right Hon. Sir Stafford Henry Northcote, Baronet, Secretary of State.

MONDAY, MARCH 11.

For *Boston*, *v.* Meaburn Staniland, esquire, Manor of Northstead.

FRIDAY, MARCH 15.

For *Huntingdon County*, *v.* The Hon. Robert Montagu, commonly called Lord Robert Montagu, Vice President of the Committee of Council for Education.

NEW MEMBERS SWORN.

TUESDAY, FEBRUARY 5.

Guildford—Richard Garth, Esq.
Brecknock Borough—Howel Gwyn, Esq.
Armagh City—John Vance, Esq.
Penryn—Jervoise Smith, Esq.
Belfast—Charles Lanyon, Esq.
Pembroke County—James Bevan Bowen, Esq.
Carnarvon County—Hon. George Douglas Pennant.
Salop (Northern Division)—Hon. Adelbert Wellington Cust.
Tipperary—Hon. Captain Charles White.
Gloucester County (Western Division)—Sir John Rolt.

WEDNESDAY, FEBRUARY 6.

Wexford County—Arthur Kavanagh, Esq.

TUESDAY, FEBRUARY 12.

Andover—Sir John Burgess Karslake, Knight.

FRIDAY, FEBRUARY 15.

Northampton County (Northern Division)—Sackville George Stopford, Esq.

MONDAY, FEBRUARY 18.

Dublin University—Hedges Eyre Chatterton, Esq.
Colchester—Edward Kent Karslake, Esq.

THURSDAY, FEBRUARY 21.

Galway Town—Right Hon. Michael Morris.

MONDAY, FEBRUARY 25.

Suffolk (Eastern Division)—Frederick Snowden Corrance, Esq.

MONDAY, MARCH 4.

Cork County—Arthur Hugh Smith Barry, Esq.

MONDAY, MARCH 11.

Salop (Southern Division)—Hon. Percy Egerton Herbert.

TUESDAY, MARCH 12.

York County (North Riding)—Hon. Octavius Duncombe.

FRIDAY, MARCH 15.

Salop (Northern Division)—Viscount Newport.
Droitwich—Right Hon. Sir John Somerset Pakington, Baronet.

THE MINISTRY.

THE CABINET.

First Lord of the Treasury	Right Hon. Earl of Derby, K.G.
Lord Chancellor	Right Hon. Lord Chelmsford.
President of the Council	His Grace the Duke of Buckingham and Chandos, K.G.
Lord Privy Seal	Right Hon. Earl of Malmesbury, G.C.B.
Secretary of State, Home Department	Right Hon. Spencer Horatio Walpole.
Secretary of State, Foreign Department	Right Hon. Lord Stanley.
Secretary of State for Colonies	Right Hon. Earl of Carnarvon.
Secretary of State for War	Right Hon. General Peel.
Secretary of State for India	Right Hon. Viscount Cranbourne.
Chancellor of the Exchequer	Right Hon. Benjamin Disraeli.
First Lord of the Admiralty	Right Hon. Sir John Somerset Pakington, Bt., G.C.B.
President of the Board of Trade	Right Hon. Sir Stafford Henry Northcote, Bt., C.B.
Chief Commissioner of Works and Public Buildings	Right Hon. Lord John James Robert Manners.
Chief Commissioner of the Poor Law Board	Right Hon. Gathorne Hardy.
Chief Secretary to the Lord Lieutenant (Ireland)	Right Hon. Lord Naas.

NOT IN THE CABINET.

Field Marshal Commanding-in-Chief	H.R.H. the Duke of Cambridge, K.G.
Postmaster General	His Grace the Duke of Montrose, K.T.
Chancellor of the Duchy of Lancaster	Right Hon. Earl of Devon.
Paymaster of the Forces, and Vice President of the Board of Trade	Right Hon. Stephen Cave.
Vice President of the Committee of Privy Council for Education	Right Hon. Henry Thomas Lowry Corry.
Lords of the Treasury	Hon. Gerard James Noel, Henry Whitmore, Esq., and Sir Graham Graham-Montgomery, Bt.
Lords of the Admiralty	Vice Admiral Sir Alexander Milne, K.C.B., Vice Admiral Sir Sydney Colpoys Dacres, K.C.B., Rear Admiral George Henry Seymour, C.B., Captain Sir John Charles Dalrymple Hay, Bt., and Charles Du Cane, Esq.
Joint Secretaries of the Treasury	Colonel Thomas Edward Taylor and George Ward Hunt, Esq.
Secretary of the Admiralty	Lord Henry George Charles Gordon-Lennox.
Secretary to the Poor Law Commissioners	Ralph Anstruther Earle, Esq.
Under Secretary, Home Department	Right Hon. Earl of Belmore.
Under Secretary, Foreign Department	Edward Christopher Egerton, Esq.
Under Secretary for Colonies	Right Hon. Charles Bowyer Adderley.
Under Secretary for War	Right Hon. Earl of Longford, K.C.B.
Under Secretary for India	Sir James Fergusson, Bt.
Judge Advocate General	Right Hon. John Robert Mowbray.
Attorney General	Sir John Rolt, Knt.
Solicitor General	Sir John Burgess Karslake, Knt.

SCOTLAND.

Lord Advocate	Right Hon. George Patton.
Solicitor General	Edward Strathearn Gordon, Esq.

IRELAND.

Lord Lieutenant	Most Hon. Marquess of Abercorn, K.G. and K.St.P.
Lord Chancellor	Right Hon. Francis Blackburne.
Chief Secretary to the Lord Lieutenant	Right Hon. Lord Naas.
Attorney General	Right Hon. Michael Morris.
Solicitor General	Hedges Eyre Chatterton, Esq.

QUEEN'S HOUSEHOLD.

Lord Steward	His Grace the Duke of Marlborough.
Lord Chamberlain	Right Hon. Earl of Bradford.
Master of the Horse	His Grace the Duke of Beaufort, K.G.
Treasurer of the Household	Right Hon. Lord Burghley.
Comptroller of the Household	Right Hon. Viscount Royston.
Vice Chamberlain of the Household	Right Hon. Lord Claud Hamilton.
Captain of the Corps of Gentlemen at Arms	Right Hon. Earl of Tankerville.
Captain of the Yeomen of the Guard	Right Hon. Earl Cadogan.
Master of the Buckhounds	Right Hon. Lord Colville of Culross.
Chief Equerry and Clerk Marshal	Lord Alfred Henry Paget.
Mistress of the Robes	Her Grace the Duchess of Wellington.

ROLL OF THE

LORDS SPIRITUAL AND TEMPORAL

In the Second Session of the Nineteenth Parliament of the
United Kingdom of Great Britain and Ireland.

30o VICTORIÆ 1867.

Mem.—*According to the Usage of Parliament, when the House appoints a Select Committee, the Lords appointed to serve upon it are named in the Order of their Rank, beginning with the Highest; and so, when the House sends a Committee to a Conference with the Commons, the Lord highest in Rank is called first, and the rest go forth in like Order: But when the Whole House is called over for any Purpose within the House, or for the Purpose of proceeding forth to Westminster Hall, or upon any public Solemnity, the Call begins invariably with the Junior Baron.*

His Royal Highness The Prince of Wales.

His Royal Highness Alfred Ernest Albert Duke of Edinburgh.

His Royal Highness George Frederick Alexander Charles Ernest Augustus Duke of Cumberland and Teviotdale. (*King of Hanover.*)

His Royal Highness George William Frederick Charles Duke of Cambridge.

Charles Thomas Archbishop of Canterbury.

Frederick Lord Chelmsford, *Lord Chancellor.*

William Archbishop of York.

Richard Chenevix Archbishop of Dublin.

Richard Plantagenet Campbell Duke of Buckingham and Chandos, *Lord President of the Council.*

James Howard Earl of Malmesbury, *Lord Privy Seal.*

Henry Duke of Norfolk, *Earl Marshal of England.*

John Winston Duke of Marlborough, *Lord Steward of the Household.*

Edward Adolphus Duke of Somerset.

Charles Henry Duke of Richmond.

William Henry Duke of Grafton.

Henry Charles Fitzroy Duke of Beaufort.

William Amelius Aubrey de Vere Duke of Saint Albans.

George Godolphin Duke of Leeds.

William Duke of Bedford.

William Duke of Devonshire.

John Winston Duke of Marlborough. (*In another Place as Lord Steward of the Household.*)

Charles Cecil John Duke of Rutland.

William Alexander Louis Stephen Duke of Brandon. (*Duke of Hamilton.*)

William John Duke of Portland.

William Drogo Duke of Manchester.

Henry Pelham Alexander Duke of Newcastle.

George Duke of Northumberland.

Arthur Richard Duke of Wellington.

Richard Plantagenet Campbell Duke of Buckingham and Chandos. (*In another Place as Lord President of the Council.*

George Granville William Duke of Sutherland.

Harry George Duke of Cleveland.

John Marquess of Winchester.
George Marquess of Tweeddale. (*Elected for Scotland.*)
Henry Charles Keith Marquess of Lansdowne.
John Villiers Stuart Marquess Townshend.
James Brownlow William Marquess of Salisbury.
John Alexander Marquess of Bath.
James Marquess of Abercorn.
Richard Marquess of Hertford.
John Patrick Marquess of Bute.
William Alleyne Marquess of Exeter.
Charles Marquess of Northampton.
John Charles Marquess Camden.
Henry Marquess of Anglesey.
George Horatio Marquess of Cholmondeley.
Henry Weysford Charles Plantagenet Marquess of Hastings.
George William Frederick Marquess of Ailesbury.
George Thomas John Marquess of Westmeath. (*Elected for Ireland.*)
Frederick William John Marquess of Bristol.
Archibald Marquess of Ailsa.
Richard Marquess of Westminster.
George Augustus Constantine Marquess of Normanby.

Orlando George Charles Earl of Bradford. (*Lord Chamberlain of the Household.*)
Henry John Earl of Shrewsbury.
Edward Geoffrey Earl of Derby.
Francis Theophilus Henry Earl of Huntingdon.
George Robert Charles Earl of Pembroke and Montgomery.
William Reginald Earl of Devon.
Charles John Earl of Suffolk and Berkshire.
Rudolph William Basil Earl of Denbigh.
Francis William Henry Earl of Westmorland.
George Augustus Frederick Albemarle Earl of Lindsey.
George Harry Earl of Stamford and Warrington.
George James Earl of Winchilsea and Nottingham.
George Philip Cecil Arthur Earl of Chesterfield.
John William Earl of Sandwich.
Arthur Algernon Earl of Essex.
James Thomas Earl of Cardigan.
William George Earl of Carlisle.
Walter Francis Earl of Doncaster. (*Duke of Buccleuch and Queensberry.*)
Anthony Earl of Shaftesbury.
——— Earl of Berkeley.
Montagu Earl of Abingdon.
Richard George Earl of Scarbrough.
George Thomas Earl of Albemarle.
George William Earl of Coventry.
Victor Albert George Earl of Jersey.
William Henry Earl Poulett.
Sholto John Earl of Morton. (*Elected for Scotland.*)
James Earl of Caithness. (*Elected for Scotland.*) (*In another Place as Lord Barrogill.*)
Cospatrick Alexander Earl of Home. (*Elected for Scotland.*)
George Earl of Haddington. (*Elected for Scotland.*)
David Graham Drummond Earl of Airlie. (*Elected for Scotland.*)
John Thornton Earl of Leven and Melville. (*Elected for Scotland.*)
Dunbar James Earl of Selkirk. (*Elected for Scotland.*)
Thomas John Earl of Orkney. (*Elected for Scotland.*)
Sewallis Edward Earl Ferrers.
William Walter Earl of Dartmouth.
Charles Earl of Tankerville.
Heneage Earl of Aylesford.
Francis Thomas De Grey Earl Cowper.
Philip Henry Earl Stanhope.
Thomas Augustus Wolstenholme Earl of Macclesfield.
George William Richard Earl of Pomfret.
James Earl Graham. (*Duke of Montrose.*)
William Frederick Earl Waldegrave.
Bertram Earl of Ashburnham.
Charles Wyndham Earl of Harrington.
Isaac Newton Earl of Portsmouth.
George Guy Earl Brooke and Earl of Warwick.
Augustus Edward Earl of Buckinghamshire.

William Thomas Spencer Earl Fitzwilliam.
Dudley Francis Earl of Guilford.
Charles Philip Earl of Hardwicke.
Henry Edward Earl of Ilchester.
George John Earl De La Warr.
William Earl of Radnor.
John Poyntz Earl Spencer.
William Lennox Earl Bathurst.
Arthur Wills Blundell Sandys Trumbull Windsor Earl of Hillsborough. (*Marquess of Downshire.*)
George William Frederick Earl of Clarendon.
William David Earl of Mansfield.
William Earl of Abergavenny.
John James Hugh Henry Earl Strange. (*Duke of Athol.*)
William Henry Earl of Mount Edgcumbe.
Hugh Earl Fortescue.
Henry Howard Molyneux Earl of Carnarvon.
Henry Charles Earl Cadogan.
James Howard Earl of Malmesbury. (*In another Place as Lord Privy Seal.*)
Stephen Earl of Mount Cashell. (*Elected for Ireland.*)
Henry John Reuben Earl of Portarlington. (*Elected for Ireland.*)
Robert Earl of Mayo. (*Elected for Ireland.*)
John Earl of Erne. (*Elected for Ireland.*)
William Earl of Wicklow. (*Elected for Ireland.*)
George Charles Earl of Lucan. (*Elected for Ireland.*)
Somerset Richard Earl of Belmore. (*Elected for Ireland.*)
Francis Earl of Bandon. (*Elected for Ireland.*)
Francis Robert Earl of Rosslyn.
William Augustus Frederick Earl of Craven.
Arthur George Earl of Onslow.
Charles Earl of Romney.
Henry Thomas Earl of Chichester.
Thomas Earl of Wilton.
Edward James Earl of Powis.
Horatio Earl Nelson.
William Earl of Rosse. (*Elected for Ireland.*)
Sydney William Herbert Earl Manvers.
Horatio Earl of Orford.
Henry Earl Grey.
William Earl of Lonsdale.
Dudley Earl of Harrowby.
Henry Thynne Earl of Harewood.
William Hugh Earl of Minto.
Alan Frederick Earl Cathcart.
James Walter Earl of Verulam.
John William Spencer Brownlow Earl Brownlow.
Edward Granville Earl of Saint Germans.
Albert Edmund Earl of Morley.
Orlando George Charles Earl of Bradford. (*In another Place as Lord Chamberlain of the Household.*)
Frederick Earl Beauchamp.
Richard Earl of Bantry. (*Elected for Ireland.*)
George Frederick Samuel Earl De Grey.
John Earl of Eldon.
Richard William Penn Earl Howe.
Charles Sommers Earl Sommers.
John Edward Cornwallis Earl of Stradbroke.
George Henry Robert Charles William Earl Vane.
William Pitt Earl Amherst.
John Frederick Vaughan Earl Cawdor.
William George Earl of Munster.
Robert Adam Philips Haldane Earl of Camperdown.
Thomas George Earl of Lichfield.
George Frederick D'Arcy Earl of Durham.
Granville George Earl Granville.
Henry Earl of Effingham.
Henry John Earl of Ducie.
Charles Maude Worsley Earl of Yarborough.
James Henry Robert Earl Innes. (*Duke of Roxburghe.*)
Thomas William Earl of Leicester.
William Earl of Lovelace.
Thomas Earl of Zetland.
Charles George Earl of Gainsborough.
Edward Earl of Ellenborough.
Francis Charles Granville Earl of Ellesmere.
George Stevens Earl of Strafford.

William John Earl of Cottenham.
Henry Richard Charles Earl Cowley.
Archibald William Earl of Winton. (*Earl of Eglintoun.*)
William Earl of Dudley.
John Earl Russell.
John Earl of Kimberley.
Richard Earl of Dartrey.

Robert Viscount Hereford.
William Henry Viscount Strathallan. (*Elected for Scotland.*)
Henry Viscount Bolingbroke and St. John.
Evelyn Viscount Falmouth.
George Viscount Torrington.
Augustus Frederick Viscount Leinster. (*Duke of Leinster.*)
John Robert Viscount Sydney.
Francis Wheler Viscount Hood.
Mervyn Viscount Powerscourt. (*Elected for Ireland.*)
Thomas Viscount De Vesci. (*Elected for Ireland.*)
James Viscount Lifford. (*Elected for Ireland.*)
Edward Viscount Bangor. (*Elected for Ireland.*)
Hayes Viscount Doneraile. (*Elected for Ireland.*)
Cornwallis Viscount Hawarden. (*Elected for Ireland.*)
Carnegie Robert John Viscount St. Vincent.
Henry Viscount Melville.
William Wells Viscount Sidmouth.
George Frederick Viscount Templetown. (*Elected for Ireland.*)
George Viscount Gordon. (*Earl of Aberdeen.*)
Edward Viscount Exmouth.
John Luke George Viscount Hutchinson. (*Earl of Donoughmore.*)
William Thomas Viscount Clancarty. (*Earl of Clancarty.*)
Wellington Henry Viscount Combermere.
Charles John Viscount Canterbury.
Rowland Viscount Hill.
Charles Stewart Viscount Hardinge.
Hugh Viscount Gough.
Stratford Viscount Stratford de Redcliffe.
Charles Viscount Eversley.
Charles Viscount Halifax.

Archibald Campbell Bishop of London.
Charles Bishop of Durham.
Charles Richard Bishop of Winchester.
Henry Bishop of Exeter.
Connop Bishop of St. David's.
Ashhurst Turner Bishop of Chichester.
John Bishop of Lichfield.
Samuel Bishop of Oxford.
Thomas Vowler Bishop of St. Asaph.
James Prince Bishop of Manchester.
Renn Dickson Bishop of Hereford.
Alfred Bishop of Llandaff.
John Bishop of Lincoln.
Walter Kerr Bishop of Salisbury.
Robert John Bishop of Bath and Wells. (*In another Place as Lord Auckland.*)
Robert Bishop of Ripon.
John Thomas Bishop of Norwich.
James Colquhoun Bishop of Bangor.
Joseph Cotton Bishop of Rochester.
Samuel Bishop of Carlisle.
Henry Bishop of Worcester.
Charles John Bishop of Gloucester and Bristol.
Edward Harold Bishop of Ely.
Francis Bishop of Peterborough.
Robert Bishop of Down, Connor, and Dromore.
James Thomas Bishop of Ossory, Ferns, and Leighlin.
John Bishop of Cork, Cloyne, and Ross.

William Lennox Lascelles Lord De Ros.
Jacob Henry Delaval Lord Hastings.
George Edward Lord Audley.
Alberic Lord Willoughby de Eresby.
Thomas Crosby William Lord Dacre.
Charles Henry Rolle Lord Clinton.
Thomas Lord Camoys.
Henry Lord Beaumont.
Charles Lord Stourton.
Henry William Lord Berners.
Henry Lord Willoughby de Broke.
Sackville George Lord Conyers.
George Lord Vaux of Harrowden.
Ralph Gordon Lord Wentworth.
Edward Adolphus Ferdinand Lord Seymour.

St. Andrew Beauchamp Lord St. John of Bletso.

Charles Augustus Lord Howard de Walden.

William Bernard Lord Petre.

Frederick Benjamin Lord Saye and Sele.

John Francis Lord Arundell of Wardour.

John Stuart Lord Clifton. (*Earl of Darnley.*)

Joseph Thaddeus Lord Dormer.

George Henry Lord Teynham.

Henry Valentine Lord Stafford.

George Anson Lord Byron.

Charles Hugh Lord Clifford of Chudleigh.

Alexander Lord Saltoun. (*Elected for Scotland.*)

Charles Lord Blantyre. (*Elected for Scotland.*)

Charles John Lord Colville of Culross. (*Elected for Scotland.*)

John Lord Rollo. (*Elected for Scotland.*)

Henry Francis Lord Polwarth. (*Elected for Scotland.*)

Richard Edmund Saint Lawrence Lord Boyle. (*Earl of Cork and Orrery.*)

George Lord Hay. (*Earl of Kinnoul.*)

Henry Lord Middleton.

William John Lord Monson.

John George Brabazon Lord Ponsonby. (*Earl of Bessborough.*)

George John Lord Sondes.

Alfred Nathaniel Holden Lord Scarsdale.

George Ives Lord Boston.

George James Lord Lovel and Holland. (*Earl of Egmont.*)

Augustus Henry Lord Vernon.

Edward St. Vincent Lord Digby.

George Douglas Lord Sundridge. (*Duke of Argyll.*)

Edward William Lord Hawke.

Thomas Henry Lord Foley.

George Rice Lord Dinevor.

Thomas Lord Walsingham.

William Lord Bagot.

Charles Lord Southampton.

Fletcher Lord Grantley.

George Bridges Harley Dennett Lord Rodney.

William Lord Berwick.

James Henry Legge Lord Sherborne.

John Henry De La Poer Lord Tyrone. (*Marquess of Waterford.*)

Richard Lord Carleton. (*Earl of Shannon.*)

Charles Lord Suffield.

Guy Lord Dorchester.

Lloyd Lord Kenyon.

Charles Cornwallis Lord Braybrooke.

George Hamilton Lord Fisherwick. (*Marquess of Donegal.*)

Henry Hall Lord Gage. (*Viscount Gage.*)

Edward Thomas Lord Thurlow.

Robert John Lord Auckland. (*In another Place as Bishop of Bath and Wells.*)

George William Lord Lyttelton.

George Lord Mendip. (*Viscount Clifden.*)

John Lord Stuart of Castle Stuart. (*Earl of Moray.*)

Randolph Lord Stewart of Garlies. (*Earl of Galloway.*)

James George Henry Lord Saltersford. (*Earl of Courtown.*)

William John Lord Brodrick. (*Viscount Midleton.*)

Frederick Lord Calthorpe.

Robert John Lord Carrington.

William Henry Lord Bolton.

George Lord Northwick.

Thomas Lyttleton Lord Lilford.

Thomas Lord Ribblesdale.

Edward Lord Dunsany. (*Elected for Ireland.*)

Lucius Lord Inchiquin. (*Elected for Ireland*).

Cadwallader Davis Lord Blayney. (*Elected for Ireland.*)

Henry Lord Farnham. (*Elected for Ireland.*)

John Cavendish Lord Kilmaine. (*Elected for Ireland.*)

Robert Lord Clonbrock. (*Elected for Ireland.*)

Edward Lord Crofton. (*Elected for Ireland.*)

Eyre Lord Clarina. (*Elected for Ireland.*)

Henry Francis Seymour Lord Moore. (*Marquess of Drogheda.*)

John Henry Wellington Graham Lord Loftus. (*Marquess of Ely.*)

Granville Leveson Lord Carysfort. (*Earl of Carysfort.*)

George Ralph Lord Abercromby.

John Thomas Lord Redesdale.

Henry Peter Lord Rivers.

Augustus Frederick Arthur Lord Sandys.

George Augustus Frederick Charles Lord Sheffield. (*Earl of Sheffield.*)

Thomas Americus Lord Erskine.

George John Lord Mont Eagle. (*Marquess of Sligo.*)

George Arthur Hastings Lord Granard. (*Earl of Granard.*)

Hungerford Lord Crewe.

Alan Legge Lord Gardner.

John Thomas Lord Manners.

John Alexander Lord Hopetoun. (*Earl of Hopetoun.*)

Frederick William Robert Lord Stewart of Stewart's Court. (*Marquess of Londonderry.*)

Richard Lord Castlemaine. (*Elected for Ireland.*)

Charles Lord Meldrum. (*Marquess of Huntly.*)

James Lord Ross. (*Earl of Glasgow.*)

William Willoughby Lord Grinstead. (*Earl of Enniskillen.*)

William Hale John Charles Lord Foxford. (*Earl of Limerick.*)

Francis George Lord Churchill.

George Francis Robert Lord Harris.

Charles Lord Colchester.

William Schomberg Robert Lord Ker. (*Marquess of Lothian.*)

Francis Nathaniel Lord Minster. (*Marquess Conyngham.*)

James Edward William Theobald Lord Ormonde. (*Marquess of Ormonde.*)

Francis Lord Wemyss. (*Earl of Wemyss.*)

Robert Lord Clanbrassill. (*Earl of Roden.*)

James Lord Kingston. (*Earl of Kingston.*)

William Lygon Lord Silchester. (*Earl of Longford.*)

Clotworthy John Eyre Lord Oriel. (*Viscount Massereene.*)

Henry Thomas Lord Ravensworth.

Hugh Lord Delamere.

John George Weld Lord Forester.

John James Lord Rayleigh.

Robert Francis Lord Gifford.

Percy Ellen Frederick William Lord Penshurst. (*Viscount Strangford.*)

Ulick John Lord Somerhill. (*Marquess of Clanricarde.*)

James Lord Wigan. (*Earl of Crawford and Balcarres.*)

Thomas Granville Henry Stuart Lord Ranfurly. (*Earl of Ranfurly.*)

George Lord De Tabley.

Edward Montague Stuart Granville Lord Wharncliffe.

William Lord Feversham.

John Henry Lord Tenterden.

John Lord Plunket.

William Henry Ashe Lord Heytesbury.

Archibald John Lord Rosebery. (*Earl of Rosebery.*)

Richard Lord Clanwilliam. (*Earl of Clanwilliam.*)

Edward Lord Skelmersdale.

William Samuel Lord Wynford.

Henry Lord Brougham and Vaux.

William Henry Lord Kilmarnock. (*Earl of Erroll.*)

Arthur James Lord Fingall. (*Earl of Fingall.*)

William Philip Lord Sefton. (*Earl of Sefton.*)

William Sydney Lord Clements. (*Earl of Leitrim.*)

George William Fox Lord Rossie. (*Lord Kinnaird.*)

Thomas Lord Kenlis. (*Marquess of Headfort.*)

William Lord Chaworth. (*Earl of Meath.*)

Charles Adolphus Lord Dunmore. (*Earl of Dunmore.*)

Robert Montgomerie Lord Hamilton. (*Lord Belhaven and Stenton.*)

John Hobart Lord Howden.

Fox Lord Panmure. (*Earl of Dalhousie.*)

Augustus Frederick George Warwick Lord Poltimore.

Edward Mostyn Lord Mostyn.

Henry Spencer Lord Templemore.

Edward Lord Cloncurry.

John St. Vincent Lord De Saumarez.

Lucius Bentinck Lord Hunsdon. (*Viscount Falkland.*)

Thomas Lord Denman.

William Frederick Lord Abinger.

Philip Lord De L'Isle and Dudley.

Francis Lord Ashburton.

Edward Richard Lord Hatherton.

Archibald Brabazon Sparrow Lord Worlingham. (*Earl of Gosford.*)

William Frederick Lord Stratheden.

Edward Berkeley Lord Portman.

Thomas Alexander Lord Lovat.

William Bateman Lord Bateman.

James Molyneux Lord Charlemont. (*Earl of Charlemont.*)

Francis Alexander Lord Kintore. (*Earl of Kintore.*)

George Ponsonby Lord Lismore. (*Viscount Lismore.*)

Henry Cairns Lord Rossmore.

Robert Shapland Lord Carew.

Charles Frederick Ashley Cooper Lord De Mauley.

John Lord Wrottesley.

Sudeley Charles George Tracy Lord Sudeley.

Frederick Henry Paul Lord Methuen.

Edward John Lord Stanley of Alderley.

Henry Lord Stuart de Decies.

William Henry Lord Leigh.

Beilby Richard Lord Wenlock.

Charles Lord Lurgan.

Ralph Lord Dunfermline.

Thomas Spring Lord Monteagle of Brandon.

James Lord Seaton.

Edward Arthur Wellington Lord Keane.

John Lord Oxenfoord. (*Earl of Stair.*)

Charles Crespigny Lord Vivian.

John Lord Congleton.

Denis St. George Lord Dunsandle and Clanconal. (*Elected for Ireland.*)

Victor Alexander Lord Elgin. (*Earl of Elgin and Kincardine.*)

Frederick Temple Lord Clandeboye. (*Lord Dufferin and Claneboye.*)

William Henry Forester Lord Londesborough.

Samuel Jones Lord Overstone.

Charles Robert Claude Lord Truro.

Robert Monsey Lord Cranworth.

John Cam Lord Broughton.

Charles Lord De Freyne.

Edward Burtenshaw Lord Saint Leonards.

Richard Henry Fitz-Roy Lord Raglan.

Gilbert John Lord Aveland.

Thomas Lord Kenmare. (*Earl of Kenmare.*)

Richard Bickerton Pemell Lord Lyons.

James Lord Wensleydale.

Edward Lord Belper.

James Lord Talbot de Malahide.

Robert Lord Ebury.

James Lord Skene. (*Earl Fife.*)

William George Lord Chesham.

Frederic Lord Chelmsford. (*In another Place as Lord Chancellor.*)

John Lord Churston.

John Charles Lord Strathspey. (*Earl of Seafield.*)

Thomas Lord Kingsdown.

George Lord Leconfield.

William Tatton Lord Egerton.

Charles Morgan Robinson Lord Tredegar.

Robert Vernon Lord Lyveden.

Benjamin Lord Llanover.

Henry Lord Taunton.

Richard Lord Westbury.

Maurice Frederick Fitzhardinge Lord Fitzhardinge.

Henry Lord Annaly.

Richard Monckton Lord Houghton.

John Lord Romilly.

Thomas George Lord Northbrook.

James Lord Barrogill. (*Earl of Caithness.*) (*In another Place as Earl of Caithness, elected for Scotland.*)

Thomas Lord Clermont.

William Meredyth Lord Meredyth. (*Lord Athlumney.*)

Edwin Richard Windham Lord Kenry. (*Earl of Dunraven and Mount-Earl.*)

Charles Stanley Lord Monck. (*Viscount Monck.*)

John Lord Hartismere. (*Lord Henniker.*)

Edward George Earle Lytton Lord Lytton.

William George Hylton Lord Hylton.

Hugh Henry Lord Strathnairn.

Edward Gordon Lord Penrhyn.

Gustavus Frederick Lord Brancepeth. (*Viscount Boyne.*)

LIST OF THE COMMONS.

LIST OF MEMBERS

Returned from the respective Counties, Cities, Towns, and Boroughs, to serve in the *Nineteenth Parliament* of the United Kingdom of *Great Britain and Ireland* : Amended to the Opening of the Second Session on the 5th Day of February, 1867.

BEDFORD COUNTY.

Richard Thomas Gilpin,
Francis Charles Hastings Russell.

BEDFORD.

Samuel Whitbread,
William Stuart.

BERKS COUNTY.

Robert Loyd-Lindsay,
Richard Benyon,
Sir Charles Russell, bt.

ABINGDON.

Hon. Charles Hugh Lindsay.

READING.

Sir Francis Henry Goldsmid, bt.
George John Shaw Lefevre.

WALLINGFORD.

Sir Charles Wentworth Dilke, bt.

WINDSOR (NEW).

Charles Edwards,
Roger Eykyn.

BUCKINGHAM COUNTY.

Caledon George Du Pre,
Rt. hon. Benjamin Disraeli,
Robert Bateson Harvey.

AYLESBURY.

Samuel George Smith,
Nathaniel Mayer de Rothschild.

BUCKINGHAM.

Sir Harry Verney, bt.,
John Gellibrand Hubbard.

MARLOW (GREAT).

Thomas Peers Williams,
Brownlow William Knox.

WYCOMBE (CHEPPING).

John Remington Mills,
Hon. Charles Robert Carington.

CAMBRIDGE COUNTY.

Hon. (George John Manners) Lord G. J. Manners,
Hon. Charles Philip (Yorke) Viscount Royston,
Richard Young.

CAMBRIDGE.

Francis Sharp Powell,
John Eldon Gorst.

CAMBRIDGE (UNIVERSITY).

Rt. hon. Spencer Horatio Walpole,
Charles Jasper Selwyn.

CHESTER COUNTY.

(Northern Division.)

Hon. Wilbraham Egerton,
George Cornwall Legh.

(Southern Division.)

Sir Philip de Malpas Grey Egerton, bt.,
John Tollemache.

BIRKENHEAD.

John Laird.

CHESTER.

Hon. Hugh Lupus (Grosvenor) Earl Grosvenor,
William Henry Gladstone.

STOCKPORT.

Edward William Watkin,
John Benjamin Smith.

MACCLESFIELD.

John Brocklehurst,
Edward Christopher Egerton.

CORNWALL COUNTY.

(Eastern Division.)

Thomas James Agar Robartes,
Nicholas Kendall.

(Western Division.)

Richard Davey,
John Saint Aubyn.

TRURO.

Hon. John Cranch Walker Vivian,
Frederick Martin Williams.

BODMIN.

Hon. Edward Frederick Leveson-Gower,
James Wyld.

HELSTON.

William Balliol Brett.

LAUNCESTON.

Alexander Henry Campbell.

LISKEARD.

Sir Arthur William Buller, knt.

PENRYN and FALMOUTH.

Samuel Gurney,
Jervoise Smith.

ST. IVES.

Henry Paull.

CUMBERLAND COUNTY

(Eastern Division.)

Hon. Charles Wentworth George Howard,
William Marshall.

(Western Division.)

Henry Lowther,
Hon. Percy Scawen Wyndham.

CARLISLE.

William Nicholson Hodgson,
Edmund Potter.

COCKERMOUTH.

John Steel,
Rt. hon. Richard Southwell (Bourke) Lord Naas.

WHITEHAVEN.

George Cavendish Bentinck

DERBY COUNTY.

(Northern Division.)

Hon. (George Henry Cavendish) Lord G. H. Cavendish,
William Jackson.

DERBY COUNTY—*cont.*

(Southern Division.)

Thomas William Evans,
Charles Robert Colvile.

DERBY.

William Thomas Cox,
Michael Thomas Bass.

DEVON COUNTY.

(Northern Division.)

Sir Stafford Henry Northcote, bt.,
Thomas Dyke Acland.

(Southern Division.)

Sir Lawrence Palk, bt.,
Samuel Trehawke Kekewich.

ASHBURTON.

Robert Jardine.

BARNSTAPLE.

Sir George Stucley Stucley, bt.,
Thomas Cave.

DARTMOUTH.

John Hardy.

DEVONPORT.

Lord Eliot,
Montagu Chambers.

EXETER.

Hon. (Edward Baldwin Courtenay) Lord Courtenay,
John Duke Coleridge.

HONITON.

Alexander Dundas Ross Wishart Baillie-Cochrane,
Julian Goldsmid.

PLYMOUTH.

Sir Robert Porrett Collier, knt.,
Walter Morrison.

TAVISTOCK.

Arthur John Edward Russell,
Joseph D'Aguilar Samuda.

TIVERTON.

John Walrond-Walrond,
Hon. George Denman.

TOTNES.

John Pender,
Alfred Seymour.

DORSET COUNTY.

Hon. William Henry Berkeley Portman,
Henry Gerard Sturt,
John Floyer.

BRIDPORT.

Thomas Alexander Mitchell,
Kirkman Daniel Hodgson.

DORCHESTER.

Charles Napier Sturt,
Richard Brinsley Sheridan.

LYME REGIS.

John Wright Treeby.

POOLE.

Henry Danby Seymour,
Charles Waring.

SHAFTESBURY.

George Grenfell Glyn.

WAREHAM.

John Hales Montagu Calcraft.

WEYMOUTH AND MELCOMBE REGIS.

Robert Brooks,
Henry Gillett Gridley.

DURHAM COUNTY.

(Northern Division.)

Sir Hedworth Williamson, bt.,
Robert Duncombe Shafto.

(Southern Division.)

Joseph Whitwell Pease,
Charles Freville Surtees.

DURHAM (CITY).

John Henderson,
Rt. hon. John Robert Mowbray.

GATESHEAD.

Rt. hon. Sir William Hutt.

SHIELDS (SOUTH).

Robert Ingham.

SUNDERLAND.

James Hartley,
John Candlish.

ESSEX COUNTY.

(Northern Division.)

Sir Thomas Burch Weston, bt.,
Charles Du Cane.

(Southern Division.)

Henry John Selwin,
Hon. (Eustace Henry Brownlow Gascoygne-Cecil) Lord E. H. B. G. Cecil.

COLCHESTER.

John Gurdon Rebow,
Taverner John Miller.

HARWICH.

Henry Jervis White-Jervis,
John Kelk.

MALDON.

George Montagu Warren Peacocke,
Ralph Anstruther Earle.

GLOUCESTER COUNTY.

(Eastern Division.)

Robert Stayner Holford,
Sir Michael Edward Hicks-Beach, bt.

GLOUCESTER COUNTY—*cont.*

(Western Division.)

Robert Nigel Fitzhardinge Kingscote,
Sir John Rolt, knt.

CHELTENHAM.

Charles Schreiber.

CIRENCESTER.

Allen Alexander Bathurst,
Hon. Ralph Heneage Dutton.

GLOUCESTER.

William Philip Price,
Charles James Monck.

STROUD.

Rt. hon. Edward Horsman,
George Poulett Scrope.

TEWKESBURY.

John Reginald Yorke,
Sir Edmund Anthony Harley Lechmere, bt.

HEREFORD COUNTY.

James King King,
Sir Joseph Russell Bailey, bt.,
Michael Biddulph.

HEREFORD.

Richard Baggally,
George Clive.

LEOMINSTER.

Arthur Walsh,
Richard Arkwright.

HERTFORD COUNTY.

Hon. Henry Frederick Cowper,
Henry Edward Surtees,
Abel Smith.

HERTFORD.

Rt. hon. William Francis Cowper,
Robert Dimsdale.

HUNTINGDON COUNTY.

Edward Fellowes,
Hon. (Robert Montagu) Lord R. Montagu.

HUNTINGDON.

Thomas Baring,
Rt. hon. Jonathan Peel.

KENT COUNTY.

(Eastern Division.)

Sir Brook William Bridges, bt.,
Sir Edward Cholmeley Dering, bt.

(Western Division.)

Hon. (William Archer) Viscount Holmesdale,
William Hart Dyke.

CANTERBURY.

Henry Alexander Butler-Johnstone,
John Walter Huddleston.

CHATHAM.

Arthur John Otway.

GREENWICH.

David Salomons,
Sir Charles Tilston Bright, knt.

MAIDSTONE.

William Lee,
James Whatman.

ROCHESTER.

Philip Wykeham Martin,
John Alexander Kinglake.

LANCASTER COUNTY.

(Northern Division.)

John Wilson Patten,
Rt. hon. Spencer Compton (Cavendish) Marquess of Hartington.

(Southern Division.)

Hon. Algernon Fulke Egerton,
Charles Turner,
Rt. Hon. William Ewart Gladstone.

LANCASTER.

Edward Matthew Fenwick,
Henry William Schneider.

ASHTON-UNDER-LYNE.

Rt. hon. Thomas Milner Gibson.

BLACKBURN.

William Henry Hornby,
Joseph Feilden.

BOLTON-LE-MOORS.

William Gray,
Thomas Barnes.

BURY.

Robert Needham Philips.

CLITHEROE.

Richard Fort.

LIVERPOOL.

Thomas Berry Horsfall,
Samuel Robert Graves.

MANCHESTER.

Thomas Bazley,
Edward James.

OLDHAM.

John Tomlinson Hibbert,
John Platt.

PRESTON.

Sir Thomas George Hesketh, bt.,
Hon. Frederick Arthur Stanley.

ROCHDALE.

Thomas Bayley Potter.

SALFORD.

John Cheetham.

WARRINGTON.

Gilbert Greenall.

WIGAN.

Henry Woods,
Nathaniel Eckersley.

LEICESTER COUNTY.

(Northern Division.)

Rt. hon. (John James Robert Manners) Lord J. J. R. Manners,
Edward Bourchier Hartopp.

(Southern Division.)

Charles William Packe,
Hon. George Augustus Frederick Louis (Curzon-Howe) Viscount Curzon.

LEICESTER.

John Dove Harris,
Peter Alfred Taylor.

LINCOLN COUNTY.

(Parts of Lindsey.)

James Banks Stanhope,
Sir Montague John Cholmeley, bt.

(Parts of Kesteven and Holland.)

Rt. hon. Sir John Trollope, bt.,
George Hussey Packe.

LINCOLN.

Charles Seely,
Edward Heneage.

BOSTON.

John Wingfield Malcolm,
Meaburn Staniland.

GRANTHAM.

John Henry Thorold,
William Earle Welby.

GRIMSBY (GREAT).

John Fildes.

STAMFORD.

Hon. (Robert Talbot Gascoyne - Cecil) Viscount Cranbourne,
Sir John Charles Dalrymple Hay, bt.

MIDDLESEX COUNTY.

Robert Culling Hanbury,
Hon. George Henry Charles (Byng) Viscount Enfield.

FINSBURY.

William Torrens M'Cullagh Torrens,
Andrew Lusk.

LONDON.

Rt. hon. George Joachim Goschen,
Robert Wygram Crawford,
William Lawrence,
Baron Lionel Nathan De Rothschild.

MARYLEBONE.

John Harvey Lewis,
Thomas Chambers.

TOWER HAMLETS.

Charles Salisbury Butler,
Acton Smee Ayrton.

WESTMINSTER.

Hon. Robert Wellesley Grosvenor,
John Stuart Mill.

MONMOUTH COUNTY.

Charles Octavius Swinnerton Morgan,
Poulett George Henry Somerset.

MONMOUTH.

Crawshay Bailey.

NORFOLK COUNTY.

(Eastern Division.)

Edward Howes,
Clare Sewell Read.

(Western Division.)

William Bagge,
Hon. Thomas De Grey.

KING'S LYNN.

Rt. hon. Edward (Stanley) Lord Stanley,
Sir Thomas Fowell Buxton, bt.

NORWICH.

Sir William Russell, bt.,
Edward Warner.

THETFORD.

Robert John Harvey-Harvey,
Hon. Alexander Hugh Baring.

YARMOUTH (GREAT).

Sir Edmund Henry Knowles Lacon, bt.,
James Goodson.

NORTHAMPTON COUNTY.

(Northern Division.)

George Ward Hunt,

(Southern Division.)

Sir Rainald Knightley, bt.,
Henry Cartwright.

PETERBOROUGH.

George Hammond Whalley,
Thomson Hankey.

NORTHAMPTON.

Charles Gilpin,
Rt. hon. Anthony (Henley) Lord Henley.

NORTHUMBERLAND COUNTY.

(Northern Division.)

Hon. (Henry Hugh Manvers Percy) Lord H. H. M. Percy,
Sir Matthew White Ridley, bt.

(Southern Division.)

Wentworth Blackett Beaumont,
Hon. Henry George Liddell.

MORPETH.

Rt. hon. Sir George Grey, bt.

NEWCASTLE-UPON-TYNE.

Joseph Cowen,
Rt. hon. Thomas Emerson Headlam.

TYNEMOUTH.

George Otto Trevelyan.

NOTTINGHAM COUNTY.

(Northern Division.)

Rt. hon. John Evelyn Denison,
Hon. (Edward William Pelham-Clinton) Lord E. W. Pelham-Clinton.

(Southern Division.)

William Hodgson Barrow,
Thomas Blackborne Thoroton Hildyard.

NEWARK-UPON-TRENT.

Grosvenor Hodgkinson,
Hon. Arthur (Pelham-Clinton) Lord A. Pelham-Clinton.

NOTTINGHAM.

Ralph Bernal Osborne,
Viscount Amberley.

RETFORD (EAST.)

Rt. hon. George Edward Arundell (Monckton-Arundell) Viscount Galway,
Francis John Savile Foljambe.

OXFORD COUNTY.

Rt. hon. Joseph Warner Henley,
John Sidney North,
John William Fane.

BANBURY.

Bernhard Samuelson.

OXFORD (CITY).

Charles Neate,
Rt. Hon. Edward Cardwell.

OXFORD (UNIVERSITY).

Sir William Heathcote, bt.,
Rt. hon. Gathorne Hardy.

WOODSTOCK.

Henry Barnett.

RUTLAND COUNTY.

Hon. Gerard James Noel,
Hon. Gilbert Henry Heathcote.

SALOP COUNTY.

(Northern Division.)

John Ralph Ormsby-Gore,
Hon. Adelbert Wellington Cust.

(Southern Division.)

Robert Jasper More,
Hon. Percy Egerton Herbert.

BRIDGNORTH.

John Pritchard,
Henry Whitmore.

LUDLOW.

Hon. George Herbert Windsor Windsor-Clive,
John Edmund Severne.

SHREWSBURY.

George Tomline,
William James Clement.

WENLOCK.

Rt. hon. George Cecil Weld Forester,
James Milnes Gaskell.

SOMERSET COUNTY.

(Eastern Division.)

Ralph Neville-Grenville,
Richard Horner Paget.

(Western Division.)

Sir Alexander Fuller Acland Hood, bt.,
William Henry Powell Gore-Langton.

BATH.

William Tite,
James Macnaghten Hogg.

BRIDGWATER.

Alexander William Kinglake,
Philip Vanderbyl.

FROME.

Sir Henry Creswicke Rawlinson.

TAUNTON.

Alexander Charles Barclay,
Hon. William Montagu (Hay) Lord W. M. Hay.

WELLS.

Hedworth Hylton Jolliffe,
Arthur Divett Hayter.

BRISTOL.

Hon. Francis Henry Fitzhardinge Berkeley,
Sir Samuel Morton Peto, bt.

SOUTHAMPTON COUNTY.

(Northern Division.)

William Wither Bramston Beach,
George Sclater-Booth.

(Southern Division.)

Sir Jervoise Clarke Clarke-Jervoise, bt.,
Henry Hamlyn Fane.

ANDOVER.

Hon. Dudley Francis Fortescue,

CHRISTCHURCH.

John Edward Walcott.

LYMINGTON.

William Alexander Mackinnon, jun.,
Hon. George Charles (Gordon Lennox) Lord G. C. Lennox.

NEWPORT, ISLE OF WIGHT.

Charles Wykeham Martin,
Robert William Kennard.

PETERSFIELD.

William Nicholson.

PORTSMOUTH.

William Henry Stone,
Stephen Gaselee.

SOUTHAMPTON.

Russell Gurney,
George Moffatt.

WINCHESTER.

John Bonham-Carter,
William Barrow Simmonds.

STAFFORD COUNTY.

(Northern Division.)

Sir Edward Manningham Buller, bt.,
Rt. hon. Charles Bowyer Adderley.

(Southern Division.)

Henry John Wentworth Hodgetts Foley,
William Orme Foster.

LICHFIELD.

Hon. Augustus Henry Archibald Anson,
Richard Dyott.

NEWCASTLE-UNDER-LYME

William Shepherd Allen,
Edmund Buckley.

STAFFORD.

Michael Arthur Bass,
Walter Meller.

STOKE-UPON-TRENT.
Alexander James Beresford Hope,
Henry Riversdale Grenfell.

TAMWORTH.
Rt. hon. Sir Robert Peel, bt.,
John Peel.

WALSALL.
Charles Forster.

WOLVERHAMPTON.
Rt. hon. Charles Pelham Villiers,
Thomas Matthias Weguelin.

SUFFOLK COUNTY.
(Eastern Division.)
Hon. John Major Henniker-Major,

(Western Division.)
Windsor Parker,
Hon. Augustus Henry Charles (Hervey) Lord A. H. C. Hervey.

BURY ST. EDMUNDS.
Joseph Alfred Hardcastle,
Edward Greene.

EYE.
Hon. George William Barrington.

IPSWICH.
Hugh Edward Adair,
John Chevallier Cobbold.

SURREY COUNTY.
(Eastern Division.)
Hon. Peter John Locke King,
Charles Buxton.

(Western Division.)
John Ivatt Briscoe,
George Cubitt.

GUILDFORD.
Guildford James Hillier Mainwaring Elleker Onslow,
Richard Garth.

LAMBETH.
Thomas Hughes,
Frederick Doulton.

REIGATE.
Granville William Gresham Leveson-Gower.

SOUTHWARK.
John Locke,
Austen Henry Layard.

SUSSEX COUNTY.
(Eastern Division.)
John George Dodson,
Hon. Edward (Cavendish) Lord E. Cavendish.

SUSSEX COUNTY—*cont.*
(Western Division.)
Hon. Henry Wyndham,
Walter Barttelot Barttelot.

ARUNDEL.
Rt. hon. (Edward George Fitz-Alan Howard) Lord E. G. F. Howard.

BRIGHTHELMSTONE.
James White,
Henry Fawcett.

CHICHESTER.
John Abel Smith,
Hon. (George Charles Henry Gordon Lennox) Lord G. C. H. G. Lennox.

HORSHAM.
Robert Henry Hurst.

LEWES.
Hon. Henry Bouverie William Brand,
Hon. Walter John (Pelham) Lord Pelham.

MIDHURST.
William Townley Mitford.

SHOREHAM (NEW).
Stephen Cave,
Sir Percy Burrell, bt.

WARWICK COUNTY.
(Northern Division.)
Charles Newdigate Newdegate,
William Davenport Bromley.

(Southern Division.)
Sir Charles Mordaunt, bt.,
Henry Christopher Wise.

BIRMINGHAM.
William Scholefield,
John Bright.

COVENTRY.
Morgan Treherne,
Henry William Eaton.

WARWICK.
George William John Repton,
Arthur Wellesley Peel.

WESTMORELAND COUNTY.
Hon. Henry Cecil Lowther,
Hon. Thomas (Taylour) Earl of Bective.

KENDAL.
George Carr Glyn.

WIGHT (ISLE OF).
Sir John Simeon, bt.

WILTS COUNTY.
(Northern Division.)
Hon. Charles William (Brudenell-Bruce) Lord C. W. Brudenell-Bruce,
Richard Penruddocke Long.

(Southern Division.)
Hon. Henry Frederick (Thynne) Lord H. F. Thynne,
Thomas Fraser Grove.

CALNE.
Rt. hon. Robert Lowe.

CHIPPENHAM.
Sir John Neeld, bt.,
Gabriel Goldney.

CRICKLADE.
Ambrose Lethbridge Goddard,
Daniel Gooch.

DEVIZES.
Christopher Darby Griffith,
Sir Thomas Bateson, bt.

MARLBOROUGH.
Rt. hon. (Ernest Augustus Charles Brudenell-Bruce) Lord E. A. C. B. Bruce,
Henry Bingham Baring.

MALMESBURY.
Hon. Henry Charles (Howard) Viscount Andover.

NEW SARUM (SALISBURY).
Matthew Henry Marsh,
Edward William Terrick Hamilton.

WESTBURY.
Sir Massey Lopes, bt.

WILTON.
Edmund Antrobus.

WORCESTER COUNTY.
(Eastern Division.)
Hon. Frederick Henry William Gough Calthorpe,
Harry Foley Vernon.

(Western Division.)
Frederick Winn Knight,
William Edward Dowdeswell.

BEWDLEY.
Sir Thomas Edward Winnington, bt.

DROITWICH.
Rt. hon. Sir John Somerset Pakington, bt.

DUDLEY.
Henry Brinsley Sheridan.

EVESHAM.
James Bourne,
Edward Holland.

KIDDERMINSTER.
Albert Grant.

WORCESTER.
Alexander Clunes Sherriff,
Richard Padmore.

YORK COUNTY.
(*North Riding.*)
Frederick Acclom Milbank,
Hon. William Ernest Duncombe.

(*East Riding.*)
Rt. hon. Beaumont (Hotham) Lord Hotham,
Hon. Arthur Duncombe.

(*Northern Division, West Riding.*)
Sir Francis Crossley, bt.,
Hon. Frederick Charles (Cavendish) Lord F. C. Cavendish.

(*Southern Division, West Riding.*)
Hon. William (Wentworth-FitzWilliam) Viscount Milton.
Henry Frederick Beaumont.

BEVERLEY.
Sir Henry Edwards, bt.,
Christopher Sykes.

BRADFORD.
Henry Wickham Wickham,
William Edward Forster.

HALIFAX.
James Stansfeld,
Edward Akroyd.

HUDDERSFIELD.
Thomas Pearson Crosland.

KINGSTON-UPON-HULL.
James Clay,
Charles Morgan Norwood.

KNARESBOROUGH.
Basil Thomas Woodd,
Isaac Holden.

LEEDS.
George Skirrow Beecroft,
Edward Baines.

MALTON.
Hon. Charles William Wentworth-Fitzwilliam,
James Brown.

NORTHALLERTON.
Hon. Egremont William Lascelles

PONTEFRACT.
Hugh Culling Eardley Childers,
Samuel Waterhouse.

RICHMOND.
Sir Roundell Palmer, knt.
Marmaduke Wyvill.

RIPON.
Robert Kearsley,
Lord John Hay.

SCARBOROUGH.
Sir John Vanden Bempde Johnstone, bt.,
John Dent Dent.

SHEFFIELD.
John Arthur Roebuck,
George Hadfield.

THIRSK.
Sir William Payne Gallwey, bt.

WAKEFIELD.
William Henry Leatham.

WHITBY.
Charles Bagnall.

YORK CITY.
James Lowther,
George Leeman.

BARONS OF THE CINQUE PORTS.

DOVER.
Alexander George Dickson,
Charles Kaye Freshfield.

HASTINGS.
Hon. George Waldegrave-Leslie,
Patrick Francis Robertson.

SANDWICH.
Edward Knatchbull-Hugessen,
Charles Capper.

HYTHE.
Baron Mayer Amschel de Rothschild.

RYE.
Lauchlan Bellingham Mackinnon.

WALES.

ANGLESEA COUNTY.
Sir Richard Bulkeley Williams-Bulkeley, bt.

BEAUMARIS.
Hon. William Owen Stanley.

BRECKNOCK COUNTY.
Hon. Godfrey Charles Morgan.

BRECKNOCK.
Howell Gwyn.

CARDIGAN COUNTY.
Sir Thomas Lloyd, bt.

CARDIGAN, &c.
Edward Lewis Pryse.

CARMARTHEN COUNTY.
David Jones,
David Pugh.

CARMARTHEN, &c.
William Morris.

CARNARVON COUNTY.
Hon. George Douglas-Pennant.

CARNARVON, &c.
William Bulkeley Hughes.

DENBIGH COUNTY.
Sir Watkin Williams Wynn, bt.,
Robert Myddelton Biddulph.

DENBIGH, &c.
Townshend Mainwaring.

FLINT COUNTY.
Hon. (Richard de Aquila Grosvenor) Lord R. Grosvenor.

FLINT, &c.
Sir John Hanmer, bt.

GLAMORGAN COUNTY.
Christopher Rice Mansel Talbot,
Henry Hussey Vivian.

CARDIFF, &c.
James Frederick Dudley Crichton-Stuart.

SWANSEA.
Lewis Llewellyn Dillwyn.

MERTHYR TIDVIL.
Rt. hon. Henry Austin Bruce.

MERIONETH COUNTY.
William Robert Maurice Wynne.

MONTGOMERY COUNTY.
Charles Watkins Williams Wynn.

MONTGOMERY.
Hon. Charles Richard Douglas Hanbury-Tracy.

PEMBROKE COUNTY.
James Bevan Bowen.

PEMBROKE.
Sir Hugh Owen Owen, bt.

HAVERFORDWEST.
John Henry Scourfield.

RADNOR COUNTY.
Sir John Benn Walsh, bt.

NEW RADNOR.
Richard Green Price.

SCOTLAND.

ABERDEENSHIRE.
William Dingwall Fordyce.

ABERDEEN.
William Henry Sykes.

ARGYLESHIRE.
Alexander Struthers Finlay.

AYRSHIRE.
Sir James Fergusson, bt.

KILMARNOCK, RENFREW, &c.
Rt. hon. Edward Pleydell Bouverie.

BURGHS OF AYR, &c.
Edward Henry John Craufurd.

BANFFSHIRE.
Robert William Duff.

BERWICKSHIRE.
David Robertson.

BUTESHIRE.
James Lamont.

CAITHNESS-SHIRE.
George Traill.

WICK, KIRKWALL, &c.
Samuel Laing.

CLACKMANNAN AND KINROSS-SHIRES.
William Patrick Adam.

DUMBARTONSHIRE.
Patrick Boyle Smollett.

DUMFRIES-SHIRE.
George Gustavus Walker.

DUMFRIES, &c.
William Ewart.

EDINBURGHSHIRE.
Hon. William Henry Walter (Montague-Douglas-Scott) Earl of Dalkeith.

EDINBURGH
Duncan McLaren,
Rt. hon. James Moncreiff.

BURGHS OF LEITH, &c.
William Miller.

ELGIN AND NAIRNSHIRE.
Charles Lennox Cumming-Bruce.

BURGHS OF ELGIN, &c.
Mountstuart Elphinstone Grant Duff.

FIFESHIRE.
Sir Robert Anstruther, bt.

BURGHS OF ST. ANDREWS, &c.
Edward Ellice.

KIRKCALDY, DYSART, &c.
Roger Sinclair Aytoun.

FORFARSHIRE.
Hon. Charles Carnegie.

TOWN OF DUNDEE.
Sir John Ogilvy, bt.

MONTROSE, &c.
William Edward Baxter.

HADDINGTONSHIRE.
Hon. Francis Wemyss (Charteris) Lord Elcho.

HADDINGTON, &c.
Sir Henry Robert Ferguson Davie, bt.

INVERNESS-SHIRE.
Henry James Baillie.

INVERNESS, &c.
Alexander Matheson.

KINCARDINESHIRE.
James Dyce Nicol.

KIRKCUDBRIGHTSHIRE.
James Mackie.

LANARKSHIRE.
Sir Thomas Edward Colebrooke, bt.

GLASGOW.
William Graham,
Robert Dalglish.

LINLITHGOWSHIRE.
Peter McLagan.

ORKNEY AND SHETLAND.
Frederick Dundas.

PEEBLES-SHIRE.
Sir Graham Graham Montgomery, bt.

PERTHSHIRE.
Sir William Stirling Maxwell, bt.

PERTH.
Hon. Arthur FitzGerald Kinnaird.

RENFREWSHIRE.
Archibald Alexander Speirs.

PAISLEY.
Humphrey Ewing Crum-Ewing.

GREENOCK.
Alexander Murray Dunlop.

ROSS AND CROMARTY SHIRES.
Sir James Matheson, bt.

ROXBURGHSHIRE.
Sir William Scott, bt.

SELKIRKSHIRE.
Hon. (Henry John Montagu-Douglas-Scott) Lord H. J. M. D. Scott.

STIRLINGSHIRE.
John Elphinstone Erskine.

STIRLING, &c.
Lawrence Oliphant.

FALKIRK, &c.
James Merry.

SUTHERLANDSHIRE.
Rt. hon. Sir David Dundas.

WIGTONSHIRE.
Sir Andrew Agnew, bt.

WIGTON, &c.
George Young.

IRELAND.

ANTRIM.
Edward O'Neill,
George Henry Seymour.

BELFAST.
Samuel Gibson Getty,
Charles Lanyon.

CARRICKFERGUS.
Robert Torrens.

LISBURN.
Edward Wingfield Verner.

ARMAGH.
Sir William Verner, bt.,
Sir James Mathew Stronge, bt.

ARMAGH (CITY).
John Vance.

CARLOW.
Dennis William Pack Beresford,
Henry Bruen.

CARLOW (BOROUGH).
Osborne Stock.

CAVAN.
Hon. Hugh Annesley,
Edward Saunderson.

CLARE.
Crofton M. Vandeleur,
Sir Colman Michael O'Loghlen, bt.

ENNIS.
William Stacpoole.

CORK COUNTY.
Nicholas Philpot Leader,

BANDON BRIDGE.
Hon. Henry Boyle Bernard.

CORK (CITY).
Nicholas Daniel Murphy,
John Francis Maguire.

KINSALE.
Sir George Conway Colthurst, bt.

MALLOW.
Edward Sullivan.

YOUGHAL.
Joseph Neale M'Kenna.

DONEGAL.
Hon. James (Hamilton) Viscount Hamilton,
Thomas Conolly.

DOWNSHIRE.
Hon. (Arthur Edwin Hill-Trevor) Lord A. E. Hill-Trevor,
William Brownlow Forde.

NEWRY.
Arthur Charles Norres.

DOWNPATRICK.
David Stewart Ker.

DUBLIN COUNTY.
Thomas Edward Taylor,
Ion Trant Hamilton.

DUBLIN (CITY).
Benjamin Lee Guinness,
Jonathan Pim.

DUBLIN (UNIVERSITY).
Anthony Lefroy,

FERMANAGH.
Mervyn Edward Archdall,
Hon. Henry Arthur Cole.

ENNISKILLEN.
Hon. John Lowry Cole.

GALWAY.
William Henry Gregory,
Hon. Ulick Canning (De Burgh) Lord Dunkellin.

GALWAY (BOROUGH).
Sir Rowland Blennerhasset, bt.,

KERRY.
Rt. hon. Valentine Augustus (Browne) Viscount Castlerosse,
Henry Arthur Herbert.

TRALEE.
O'Donoghue, Daniel (The O'Donoghue).

KILDARE.
William Henry Ford Cogan,
Hon. (Otho Augustus Fitz-Gerald) Lord O. A. Fitz-Gerald.

KILKENNY.
George Leopold Bryan,
Hon. Leopold George Frederick Agar-Ellis.

KILKENNY (BOROUGH).
Sir John Gray.

KING'S COUNTY.
John Gilbert King,
Sir Patrick O'Brien, bt.

LEITRIM.
William Richard Ormsby-Gore,
John Brady.

LIMERICK.
Rt. hon. William Monsell,
Edmund John Synan.

LIMERICK (CITY).
George Gavin,
Francis William Russell.

LONDONDERRY.
Robert Peel Dawson,
Sir Frederick William Heygate, bt.

COLERAINE.
Sir Henry Hervey Bruce, bt.

LONDONDERRY (CITY).
Hon. (Claud John Hamilton) Lord C. J. Hamilton.

LONGFORD.
Myles William O'Reilly,
Fulke Southwell Greville.

LOUTH.
Rt. hon. Chichester Samuel Fortescue,
Tristram Kennedy.

DUNDALK.
Sir George Bowyer, bt.

DROGHEDA.
Benjamin Whitworth.

MAYO.
Hon. John Thomas (Browne) Lord J. T. Browne,
Hon. Richard Camden (Bingham) Lord Bingham.

MEATH.
Matthew Elias Corbally,
Edward MacEvoy.

MONAGHAN.
Charles Powell Leslie,
Hon. Vesey Dawson.

QUEEN'S COUNTY.
Francis Plunket Dunne,
Rt. hon. John Wilson Fitz-Patrick.

PORTARLINGTON.
James Anthony Lawson.

ROSCOMMON.
Fitzstephen French,
The O'Conor Don.

SLIGO.
Sir Robert Gore Booth, bt.,
Edward Henry Cooper.

SLIGO (BOROUGH).
Richard Armstrong.

TIPPERARY.
Charles Moore,
Hon. Charles White.

CASHEL.
James Lyster O'Beirne.

CLONMEL.
John Bagwell.

TYRONE.
Rt. hon. Henry Thomas Lowry-Corry,
Rt. hon. (Claud Hamilton) Lord C. Hamilton.

DUNGANNON.
Hon. William Stuart Knox.

WATERFORD.
John Esmonde,
Edmond de la Poer.

DUNGARVAN.
Charles Robert Barry.

WATERFORD (CITY).
John Aloysius Blake,
Sir Henry Winston Barron, bt.

WESTMEATH.
William Pollard-Urquhart,
Algernon William Fulke Greville.

ATHLONE.
Denis Joseph Rearden.

WEXFORD.
Sir James Power, bt.,
Arthur Kavanagh.

WEXFORD (BOROUGH).
Richard Joseph Devereux.

ROSS (NEW).
Charles George Tottenham.

WICKLOW.
William Wentworth-Fitzwilliam Dick,
Hon. Granville Leveson (Proby) Lord Proby.

HANSARD'S

PARLIAMENTARY DEBATES,

IN THE

SECOND SESSION OF THE *NINETEENTH PARLIAMENT* OF THE
UNITED KINGDOM OF *GREAT BRITAIN* AND *IRELAND*
APPOINTED TO MEET 1 FEBRUARY, 1866, AND THENCE
CONTINUED TILL 5 FEBRUARY, 1867, IN THE THIRTIETH
YEAR OF THE REIGN OF

HER MAJESTY QUEEN VICTORIA.

FIRST VOLUME OF THE SESSION.

HOUSE OF LORDS,

Tuesday, February 5, 1867.

THE PARLIAMENT, which had been Prorogued successively from the 10th day of August to the 25th day of October; thence to the 20th day of November; thence to the 15th day of January; thence to the 5th day of February; met this day for Despatch of Business.

The Session of PARLIAMENT was opened by THE QUEEN in Person.

THE QUEEN'S SPEECH.

HER MAJESTY, being seated on the Throne, adorned with Her Crown and Regal Ornaments, and attended by Her Officers of State:—The PRINCE OF WALES (in his Robes) sitting in his Chair on HER MAJESTY's right hand—(the Lords being in their Robes)—commanded the Gentleman Usher of the Black Rod, through the Deputy Lord Great Chamberlain, to let the Commons know "It is Her Majesty's Pleasure they attend Her immediately, in this House."

Who being come, with their Speaker;

The LORD CHANCELLOR, taking Directions from HER MAJESTY, said—

My Lords, and Gentlemen,

"IN again recurring to your Advice and Assistance, I am happy to inform you that My Relations with Foreign Powers are on a friendly and satisfactory Footing.

"I HOPE that the Termination of the War in which *Prussia, Austria,* and *Italy* have been engaged may

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lead to the Establishment of a durable Peace in *Europe.*

"I HAVE suggested to the Government of the *United States* a Mode by which Questions pending between the Two Countries arising out of the late Civil War may receive amicable Solution, and which, if met, as I trust it will be, in a corresponding Spirit, will remove all Grounds of possible Misunderstanding, and promote Relations of cordial Friendship.

"THE War between *Spain* and the Republics of *Chili* and *Peru* still continues, the good Offices of My Government, in conjunction with that of The Emperor of the *French,* having failed to effect a Reconciliation. If either by Agreement between the Parties themselves, or by the Mediation of any other friendly Power, Peace shall be restored, the Object which I have had in view will equally be attained.

"DISCONTENT prevailing in some Provinces of the *Turkish* Empire has broken out in actual Insurrection in *Crete.* In common with My Allies, The Emperor of the *French* and The Emperor of *Russia,* I have abstained from any active Interference in these internal Disturbances, but Our joint Efforts have been directed to bringing about improved Relations between the Porte and its Christian Subjects, not inconsistent with the sovereign Rights of The Sultan.

"THE protracted Negotiations which arose out of the Acceptance by Prince *Charles* of *Hohenzollern* of the Government of the *Danubian* Principalities have been happily terminated by an Arrangement to which the Porte has given its ready Adhesion, and which has been sanctioned by the Concurrence of all the Powers, Signataries of the Treaty of 1856.

"RESOLUTIONS in favour of a more intimate Union of the Provinces of *Canada, Nova Scotia,* and *New Brunswick* have been passed by their several Legislatures; and Delegates duly authorized and representing all Classes of Colonial Party and Opinion have concurred in the Conditions upon which such an Union may be best effected. In accordance with their Wishes a Bill will be submitted to you, which, by the Consolidation of Colonial Interests and Resources, will give Strength to the several Provinces as Members of the same Empire, and animated by Feelings of Loyalty to the same Sovereign.

"I HAVE heard with deep Sorrow that the Calamity of Famine has pressed heavily on My Subjects in some Parts of *India.* Instructions were issued to My Government in that Country to make the utmost Exertions to mitigate the Distress which prevailed during the Autumn of last Year. The Blessing of an abundant Harvest has since that Time materially improved the Condition of the suffering Districts.

"THE persevering Efforts and unscrupulous Assertions of treasonable Conspirators abroad have, during the last Autumn, excited the Hopes of some disaffected Persons in *Ireland,* and the Apprehensions of the loyal Population; but the firm, yet temperate Exercise of the Powers entrusted to the Executive, and the Hostility manifested against the Conspiracy by Men of all Classes and Creeds, have greatly tended to restore Public Confidence, and have rendered hopeless any Attempt to disturb the general Tranquillity. I trust that you may consequently be enabled to dispense with the Continuance of any exceptional Legislation for that Part of My Dominions.

"I acknowledge, with deep Thankfulness to Almighty God, the great Decrease that has taken place in the Cholera, and in the Pestilence which has attacked our Cattle; but the continued Prevalence of the latter in some Foreign Countries, and its occasional Re-appearance in this, will still render necessary some special Measures of Precaution; and I trust that the Visitation of the former will lead to increased Attention to those Sanitary Measures which Experience has shown to be the best Preventive.

"Estimating as of the highest Importance an adequate Supply of pure and wholesome Water, I have directed the Issue of a Commission to inquire into the best Means of permanently securing such a Supply for the Metropolis, and for the principal Towns in densely-peopled Districts of the Kingdom.

Gentlemen of the House of Commons,

"I have directed the Estimates for the ensuing Year to be laid before you. They have been prepared with a due Regard to Economy, and to the Requirements of the public Service.

"You will, I am assured, give your ready Assent to a moderate Expenditure calculated to improve the Condition of My Soldiers, and to lay the Foundation of an efficient Army of Reserve.

My Lords, and Gentlemen,

"Your Attention will again be called to the State of the Representation of the People in Parliament; and I trust that your Deliberations, conducted in a Spirit of Moderation and mutual Forbearance, may lead to the Adoption of Measures which, without unduly disturbing the Balance of political Power, shall freely extend the Elective Franchise.

"The frequent Occurrence of Disagreements between Employers of Labour and their Workmen, causing much private Suffering and public Loss, and occasionally leading, as is alleged, to Acts of Outrage and Violence, has induced Me to issue a Commission to inquire into and report upon the Organization of Trades Unions and other Associations, whether of Workmen or Employers, with Power to suggest any Improvement of the Law for their mutual Benefit. Application will be made to you for Parliamentary Powers, which will be necessary to make this Inquiry effective.

"I have directed Bills to be laid before you for the Extension of the beneficial Provisions of the Factory Acts to other Trades specially reported on by the Royal Commission on the Employment of Children, and for the better Regulation, according to the Principle of those Acts, of Workshops where Women and Children are largely employed.

"The Condition of the Mercantile Marine has attracted My serious Attention. Complaints are made that the Supply of Seamen is deficient, and that the Provisions for their Health and Discipline on board Ship are imperfect. Measures will be submitted to you with a view to increase the Efficiency of this important Service.

"I HAVE observed with Satisfaction the Relaxations recently introduced into the Navigation Laws of *France.* I have expressed to The Emperor of the *French* My Readiness to submit to Parliament a Proposal for the Extinction, on equitable Terms, of the Exemptions from local Charges on Shipping which are still enjoyed by a limited Number of Individuals in *British* Ports; and His Imperial Majesty has, in anticipation of this Step, already admitted *British* Ships to the Advantage of the new Law. A Bill upon this Subject will forthwith be laid before you.

"A BILL will also be submitted to you for making better Provision for the Arrangement of the Affairs of Railway Companies which are unable to meet their Engagements.

"MEASURES will be submitted to you for Improving the Management of sick and other Poor in the Metropolis, and for a Re-distribution of some of the Charges for Relief therein.

"YOUR Attention will also be called to the Amendment of the Law of Bankruptcy; to the Consolidation of the Courts of Probate and Divorce and Admiralty; and to the Means of disposing, with greater Despatch and Frequency, of the increasing Business in the Superior Courts of Common Law and at the Assizes.

"THE Relations between Landlord and Tenant in *Ireland* have engaged My anxious Attention, and a Bill will be laid before you which, without interfering with the Rights of Property, will offer direct Encouragement to Occupiers of Land to improve their Holdings, and provide a simple Mode of obtaining Compensation for permanent Improvements.

"I COMMEND to your careful Consideration these and other Measures which will be brought before you; and I pray that your Labours may, under the Blessing of Providence, conduce to the Prosperity of the Country, and the Happiness of My People."

Then HER MAJESTY retired.

ROLL OF THE LORDS—Garter King of Arms attending, *delivered* at the Table (in the usual Manner) a List of the Lords Temporal in the Second Session of the Nineteenth Parliament of the United Kingdom: The same was Ordered to lie on the Table.

Several Lords—Took the Oath.

Charles Stanley Viscount Monck, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Monck of Ballytrammon in the County of Wexford—Was (in the usual Manner) introduced.

Gustavus Frederick Viscount Boyne, in that Part of the United Kingdom of Great Britain and Ireland called Ireland, having been created Baron Brancepeth of Brancepeth in the County Palatine of Durham—Was (in the usual Manner) introduced.

Writs and Returns electing The Viscount Templetown a Representative Peer for Ireland in the Room of the late Earl of Lanesborough, deceased, with the Certificate of the Clerk of the Crown in Ireland annexed thereto—*Delivered* (on Oath), and Certificate read.

The Marquess Camden — Sat first in Parliament after the Death of his Father.

The Earl of Chesterfield—Sat first in Parliament after the Death of his Father.

SELECT VESTRIES.

Bill, *pro formâ*, read 1ª.

THE QUEEN'S SPEECH having been *reported* by The LORD CHANCELLOR;—

ADDRESS TO HER MAJESTY ON HER MOST GRACIOUS SPEECH.

EARL BEAUCHAMP, in rising to move an humble Address in answer to Her Majesty's most gracious Speech from the Throne, said: My Lords, in approaching my arduous and responsible task, I cannot but wish it had been committed to some Peer of greater experience in your Lordships' House than I can in any way pretend to. The topics suggested by the Speech are so numerous, so varied, and so important, that it will be impossible to give each of them, in so short a time, anything like the consideration they deserve. I will, however, presume to touch upon a few of the principal matters referred to.

Your Lordships will, I have no doubt, fully concur with me in the belief that the first topic in the Speech has been so placed from a due regard to its importance—for to this country the question of peace or war is one of the deepest interest. It must, therefore, be a matter of great satisfaction to your Lordships to be assured that Her Majesty's relations with Foreign Powers continue to be of the most friendly description. When you remember that so recently as last year the peace of Europe was disturbed by a sanguinary war, it is, indeed, satisfactory for us to learn that Her Majesty can express a confident hope in the duration of peace in Europe. The blessings of peace are so great that it is impossible to overrate them. It is, therefore, matter for further congratulation that those difficult questions which exist between the United States and this country—questions which have given rise to a considerable amount of apprehension in the minds of a large portion of the population of this country, are now in the way of a speedy and satisfactory solution. My Lords, I believe that but one feeling animates the people of this country; and that is a most cordial desire to be on friendly terms with the people of the great American Republic. And while it is right and proper for this country to maintain what they may fairly regard as their own right, it is not unbecoming for a great nation like ours, should feelings of irritation arise, to make such concessions as we may make without injury to our honour in order to secure the continuance of friendly relations with Foreign Powers, which are so important to our prosperity. My Lords, Her Majesty has told us that She regrets the continuance of the war between Spain and Chile and Peru; and we can heartily join with her in the hope that peace between those belligerents may soon be restored. During the recess your Lordships' attention has doubtless been called to the insurrection in Crete, and your Lordships had, no doubt, read with heartfelt pity the record of the heroic and gallant struggles which have taken place on that island. I think it is a matter of some satisfaction that the insurrection took place while Parliament was not sitting. I cannot forget the struggle which was made by a gallant nation—the Poles—and that during that struggle injudicious expressions used by Members of Parliament were construed into meaning that this country was prepared to afford a far larger amount of sympathy for the cause than was ever intended. I think that the Members of the Legislature should bear in mind the great responsibility which attaches to their utterances. We have seen the result in the case of Poland, and I cannot but rejoice that the insurrection in Crete took place when this House was not sitting, because expressions of sympathy might have been regarded as promises of material assistance which we were unable to afford. The House will, however, learn with great satisfaction that Her Majesty has been enabled, in common with her allies, to bring about improved relations between the Porte and its Christian subjects not inconsistent with the sovereign rights of the Sultan. My Lords, that observation applies not only to Crete, but also to the Danubian Principalities, an arrangement having been made to which the Porte had given its ready adhesion, and which has been sanctioned by all the Powers signataries of the Treaty of 1856.

While, however, my Lords, we look with satisfaction to our relations with Foreign Powers, we should not lose sight of the interests of those colonies which, sheltered under our fostering care, have grown and increased in strength until they have assumed the importance and responsibilities of large communities. It must accordingly be gratifying to know that a Bill is to be introduced for the consolidation of their interests and resources. We should all be heartily glad if the same love of peace and desire for union which prevails in our North American Colonies existed in every other portion of the British Empire. Unhappily a widely-spread conspiracy has for some years disturbed the security of the loyal portion of Her Majesty's subjects in Ireland. But we have at least the satisfaction of knowing that the designs of the misguided men who engaged in that senseless undertaking have been completely defeated by the prudent precautions which have been taken by the Government, and also to some extent, we may hope, by the reviving loyalty of some of the persons who had been deluded by the machinations of the leading conspirators. The danger has now, in a great measure, passed away; and, happily, the spirit of disaffection has extended to only a small portion of the population of Ireland, while the whole course of those events has shown that the vast majority of that population, of all creeds and classes, are sincerely attached to the Crown and Government of the United Kingdom.

Her Majesty expresses the deep sorrow with which She has heard of the dreadful famine which since last summer has afflicted some portion of Her Indian subjects; and there is not one among your Lordships who does not share in that feeling, and who will not rejoice with Her Majesty in the termination of so great a calamity. At the meeting of Parliament at the commencement of last year, a large portion of the agricultural interest of this country was greatly affected by the cattle plague, which occasioned great suffering and distress in many districts; but your Lordships will hear with satisfaction that by reason of the important measures which were passed by Parliament, or in consequence of the natural dying out of the disease in the winter months, the scourge has passed away. We have, however, since had to meet a more serious peril to our social welfare and prosperity created by a visitation of cholera. That, too, has passed away; but the poison of that disease is so subtle and so deadly, that it is evidently the duty of those charged with the responsibility of Government to take every precaution against the recurrence of such a calamity; and therefore we must learn with satisfaction that a Royal Commission is about to be appointed for the purpose of inquiring into the important sanitary subject of the supply of pure water to our towns and cities. While referring to that topic, I will venture to express a hope that the owners of property throughout the country will do all in their power to aid in furthering these efforts for the promotion of the public health, and that they will all in that respect imitate the good example set us by Her Majesty. The Royal Speech afterwards contains a reference to the subject of Parliamentary Reform; and I am sure your Lordships will heartily rejoice to know that there exists at last a prospect of bringing that long-vexed question to a satisfactory settlement. It is impossible for me to say what may be the nature of the proposal Her Majesty's Government will have to submit to Parliament upon this subject; but we must all earnestly hope that it will be one calculated to improve the constitution of the country.

The questions of our sanitary condition and of Parliamentary Reform are no doubt of immense consequence; but I venture to think that in their immediate bearing on the National welfare they must yield to that great danger which is impending over the country in consequence of the baleful operations of the trades unions. We have adopted the principle of free trade in our whole commercial policy; but I believe that freedom of trade cannot exist without freedom of labour, and that this country cannot maintain its position as the industrial centre of the commercial world if the operations of the trades unions restrict the employment of labour and prevent the artisans from making the best use they can of their skill and industry. Adam Smith, in his *Wealth of Nations,* lays down the doctrine that the patrimony of the working-man consists in his strength and dexterity of hand, and that anything that prevents him from employing that strength and dexterity is a violation of his just rights. The restrictions which are now imposed on the working-men of this country are of a different kind from those which were contemplated by Adam Smith, but they are not the less serious nor less dangerous. It is possibly within the knowledge of your Lordships that important trades and branches of manufactures formerly executed in this country are passing away from us in consequence of the operations of a portion of our artisans; and those artisans not only injure themselves by the course they have thought fit to adopt, but they deprive other people of the opportunity of earning their accustomed wages, and thus they materially diminish the general means of subsistence. I am persuaded that your Lordships will do all you can to render the inquiries of the Royal Commission into this subject as effective as possible. I further believe that you will heartily join in returning your humble thanks to Her Majesty for the interest She has exhibited in the condition of children employed in factories. The factory laws already form one of the brightest pages in our National legislation, and we shall all heartily rejoice if any considerable addition can be made to that legislation during the course of the present Session. Another important subject, to which Her Majesty refers, is the relief of embarrassed railway companies; and it is manifestly desirable that some mode should, if possible, be adopted of enabling them to meet their liabilities. Her Majesty also informs us that the relation of landlord and tenant in Ireland is also to engage our attention during the present Session. It is not for me, unacquainted as I am with Ireland, to express any opinion upon that question; but of this I feel assured, that if any simple mode can be provided of giving compensation for permanent improvements, it will go far to settle a question which has disturbed a considerable part of Ireland, and heal a very dangerous sore. I shall be ashamed to trespass any longer on your Lordships' attention, but I cannot prevail on myself to conclude without making one other observation. In these times, when efforts are made to persuade this and other countries that the people of England are dissatisfied with the institutions under which they live, I cannot refrain from noting with satisfaction and pleasure—in which I am sure all your Lordships will share—the enthusiastic reception accorded to the Queen in Her recent visit to one of the great mining districts of the kingdom. Her Majesty was received on that occasion with a most cordial welcome; the highest and the lowest vied with each other in demonstrations of affection to their Sovereign. I venture to think that no occasion could have been more appropriate for Her Majesty to re-appear among Her people, as the national exponent of their sympathies, whether of sorrow or joy, than the inauguration of a monument to the memory of that great Prince whose wisdom diminished the care, as his affection enhanced the happiness, of Her who was at once his Monarch and his wife. The Queen did not need that overwhelming burst of loyalty and attachment to convince Her how dearly prized by Her loving subjects is that personal discharge of duties which, though not essential to State affairs, materially conduce to the chivalrous affection entertained for the person of the Queen. Her Majesty now approaches the completion of the thirtieth year of Her reign, and I venture to think that, in the course of the thousand years during which the long line of Her illustrious ancestors has wielded the sceptre now swayed by Her Majesty's hands, there is no period of thirty years which will justly challenge comparison with that now elapsed, for the attention bestowed on the welfare and prosperity of the people; and I make bold to say that if Parliament in its wisdom should fulfil the designs of the Queen, and apply itself in that spirit of moderation and forbearance, so wisely recommended to us from the Throne, to the consideration of the measures promised in Her Majesty's Speech, this present Session will take no unworthy place among its predecessors of this happy reign. The occasion to which I have referred—the visits to Wolverhampton—affords a convincing testimony that the attention which the Crown and the Legislature have given to the condition of the people has borne abundant fruit in dutiful attachment to the Queen, and in a profound appreciation of the institutions under which it is our blessing to live; and, my Lords, no one can doubt that in the person of the Queen has been fulfilled the prediction of the Poet—

"Entire and sure that monarch's rule must prove
Who founds her greatness on her subjects' love.',

My Lords, I beg to move the following humble Address to Her Majesty, thanking Her Majesty for Her Most Gracious Speech from the Throne:—

MOST GRACIOUS SOVEREIGN,

"WE, Your Majesty's most dutiful and loyal Subjects, the Lords Spiritual and Temporal in Parliament assembled, beg leave to offer our humble Thanks to Your Majesty for Your Majesty's gracious Speech.

"WE rejoice to learn that Your Majesty's Relations with Foreign Powers are on a friendly and satisfactory Footing, and we join with Your Majesty in the Hope that the Termination of the War in which *Prussia*, *Austria*, and *Italy* have been engaged may tend to the Establishment of durable Peace in *Europe*.

"WE humbly assure Your Majesty that we learn with Satisfaction that Your Majesty has suggested to the Government of the *United States* a Mode by which Questions, pending between the Two Countries, arising out of the late Civil War, may receive an amicable Solution, and which, if met, as Your Majesty trusts it will be, in a corresponding Spirit, will remove all Grounds of possible Misunderstanding, and promote Relations of cordial Friendship.

"With Your Majesty, we regret the Continuance of the War between *Spain* and the Republics of *Chili* and *Peru*, and we lament that the good Offices of Your Majesty's Government, in conjunction with that of The Emperor of the *French*, should have failed to have effected a Reconciliation. It will be a Cause of Satisfaction to us, if either by Agreement between the Parties themselves, or by the Mediation of any other friendly Power, Peace should be restored.

"We have observed with Regret that Discontent prevailing in some Provinces of the *Turkish* Empire has broken out in actual Insurrection in *Crete*; but we learn with Satisfaction, that in common with Your Majesty's Allies, The Emperor of the *French* and The Emperor of *Russia*, Your Majesty has abstained from any active Interference in those internal Disturbances; and that the Efforts of Your Majesty and Your Allies have been directed to bring about such improved Relations between the Porte and its Christian Subjects as are not inconsistent with the sovereign Rights of The Sultan.

"We thank Your Majesty for informing us that the protracted Negotiations which arose out of the Acceptance by Prince *Charles* of *Hohenzollern* of the Government of the *Danubian* Principalities have been happily terminated by an Arrangement to which the Porte has given its ready Adhesion, and which has been sanctioned by the Concurrence of all the Powers, Signataries of the Treaty of 1856.

"We rejoice to be informed by Your Majesty that Resolutions in favour of a more intimate Union of the Provinces of *Canada*, *Nova Scotia*, and *New Brunswick* have been passed by their several Legislatures, and that Delegates duly authorized, and representing all Classes of Colonial Party and Opinion, have concurred in the Conditions upon which such an Union may be best effected. We assure Your Majesty that we will give our most careful Attention to the Bill which, in accordance with the Wishes of those Colonies, Your Majesty has directed to be submitted to us, and which, by the Consolidation of Colonial Interests and Resources, will, we trust, give Strength to the several Provinces as Members of the same Empire, and animated by Feelings of Loyalty to the same Sovereign.

"We have heard with deep Sorrow that the Calamity of Famine has pressed heavily on Your Majesty's Subjects in some Parts of *India*. We thank Your Majesty for informing us that Instructions were issued to Your Majesty's Government in that Country to make the utmost Exertions to mitigate the Distress which prevailed during the Autumn of last Year; and we rejoice that the Blessing of an abundant Harvest has since that Time materially improved the Condition of the suffering Districts.

"We have observed with deep Concern that the persevering Efforts and unscrupulous Assertions of treasonable Conspirators abroad have, during the last Autumn, excited the Hopes of some disaffected Persons in *Ireland*, and the Apprehensions of the loyal Population; but we learn with the greatest Satisfaction that the firm yet temperate Exercise of the Powers entrusted to the Executive, and the Hostility manifested against the Conspiracy by Men of all Classes and Creeds, have greatly tended to restore Public Confidence, and rendered hopeless any Attempt to disturb the general Tranquillity. With Your Majesty, we consequently trust that we may be enabled to dispense with the Continuance of any exceptional Legislation for that Part of Your Majesty's Dominions.

"With Your Majesty we join in acknowledging, with deep Thankfulness to Almighty God, the great Decrease which has taken place in the Cholera, and in the Pestilence which has attacked our Cattle; we regret that the continued Prevalence of the latter in some Foreign Countries, and its occasional Re-appearance in this, will still render necessary some special Measures of Precaution; but we trust that the Visitation of the former will add to increased Attention to those Sanitary Measures which Experience has shown to be its best Preventive.

"We thank Your Majesty for informing us that, estimating as of the highest Importance an adequate Supply of pure and wholesome Water, Your Majesty has directed the Issue of a Commission to inquire into the best Means of permanently securing such a Supply for the Metropolis, and for the principal Towns in densely-peopled Districts of the Kingdom.

"We convey to Your Majesty our humble Thanks for informing us, that our Attention will again be called to the State of the Representation of the People in Parliament; and, with Your Majesty, we trust that our Deliberations, conducted in a Spirit of Moderation and mutual Forbearance, may lead to the Adoption of Measures which, without unduly disturbing the Balance of Political Power, shall freely extend the Elective Franchise.

"WE humbly thank Your Majesty for informing us that the frequent Occurrence of Disagreements between Employers of Labour and their Workmen, causing much private Suffering and public Loss, and occasionally leading, as is alleged, to Acts of Outrage and Violence, has induced Your Majesty to issue a Commission to inquire into and report upon the Organization of Trades Unions and other Associations, whether of Workmen or Employers, with Power to suggest any Improvement of the Law for their mutual Benefit. We assure Your Majesty that any Parliamentary Powers which may be necessary for making that Inquiry effective will be readily given by us.

"WE convey to Your Majesty our humble Thanks for having directed Bills to be laid before us for the Extension of the beneficial Provisions of the Factory Acts to other Trades specially reported on by the Royal Commission on the Employment of Children, and for the better Regulation, according to the Principle of those Acts, of Workshops where Women and Children are largely employed.

"WE thank Your Majesty for informing us that the Condition of the Mercantile Marine has attracted the serious Attention of Your Majesty, and that Measures will be submitted to us with a view to increase the Efficiency of that important Service.

"WE learn with Satisfaction that Relaxations have been lately introduced into the Navigation Laws of *France;* that Your Majesty has expressed to The Emperor of the *French* Your Readiness to submit to Parliament a Proposal for the Extinction, on equitable Terms, of the Exemptions from local Charges on Shipping which are still enjoyed by a limited Number of Individuals in *British* Ports; and that His Imperial Majesty has, in anticipation of this Step, already admitted *British* Ships to the Advantage of the new Law. We will give our careful Attention to the Bill upon this Subject which Your Majesty has directed to be forthwith laid before us.

"WE humbly assure Your Majesty that we will give our most serious Consideration to the Bill which is to be submitted to us for making better Provision for the Arrangement of the Affairs of Railway Companies which are unable to meet their Engagements; as well as to any Measures for improving the Management of sick and other Poor in the Metropolis, and for a Re-distribution of some of the Charges for Relief therein.

"OUR most careful Attention will be given to the Measures for the Amendment of the Law of Bankruptcy, and the Consolidation of the Courts of Probate and Divorce and Admiralty; also to the Means of disposing, with greater Despatch and Frequency, of the increasing Business in the Superior Courts of Common Law and at the Assizes.

"WE humbly thank Your Majesty for informing us that the Relations between Landlord and Tenant in *Ireland* have engaged the anxious Attention of Your Majesty, and that a Bill will be laid before us, which, without interfering with the Rights of Property, will offer direct Encouragement to Occupiers of Land to improve their Holdings, and provide a simple Mode of obtaining Compensation for permanent Improvements.

"WITH Your Majesty, we pray that our Labours may, under the Blessing of Providence, conduce to the Prosperity of the Country and the Happiness of Your People."

LORD DELAMERE: My Lords, in rising to second this Address, I must venture, in the first place, to ask for your Lordships' indulgence, which I am satisfied was never yet refused. I have been some time a Member of your Lordships' House, but I have never before ventured to address you; and though I cannot say that I am a young Member in any sense of the word, I am sure that, whatever indulgence your Lordships would extend to the youngest Member of your House will not be withheld from me. I find myself in a position of no ordinary difficulty. I find myself like a man placed before an overwhelming feast who, with the best intentions, "hath not stomach for it all." The bill of fare is so large, that I can only venture to select a few dishes; or to speak more seriously, there are matters so various, so vast, and of such great and paramount importance contained in the Queen's Speech, that even if I were disposed to trespass on your Lordships' time at any length—which I am not—it would require more vast and varied knowledge than I have any claim to, to deal with them with that justice which many of the subjects command.

With regard to the first paragraph, intimating the existence of cordial relations with all foreign Powers, the assurance it conveys, although of the old stereotyped character, has, under present circumstances, far more than its usual significance, and will be received generally, I am sure, in a spirit of very deep and very earnest thankfulness. When we look back on the last year—when we consider the extraordinary number of events crowded within that brief space—how kingdoms have been overthrown, dynasties changed, battles waged and won, Europe dismembered and reconstructed, we can scarcely imagine that all these things, having taken place within so small a space—almost within a few weeks—should have yet assumed a character of such permanent durability as to promise to be lasting institutions, and afford a reasonable hope that the result of all these commotions would be to secure the peace of Europe. I fervently hope it may be so.

The next paragraph in the Speech deals with the questions pending between this country and the Government of the United States; and I am sure your Lordships will hear with satisfaction that it is likely that the differences which have existed between the two Governments may soon be amicably settled by arbitration. The noble Lord at the head of Foreign Affairs deserves great credit for the course he has taken on this subject. It requires more courage to pursue a course of conciliation, than one of irritation and resistance, and I hope the wisdom of such a course will be generally acknowledged, and that it will lay the foundation of lasting friendly relations between the two countries.

Your Lordships will be sorry to hear that the war between Spain and the Republics of Chile and Peru still continues; but your Lordships will be glad to hear that there is a fair prospect of bringing about improved relations between Turkey and its Cretan subjects. With respect to the proposed Confederation of the British Provinces in North America, I feel that the welfare and well-being of that country can only be considered as second to our own. The cheerfulness with which necessarily imposed self-sacrifices have been borne, the resolute attitude opposed to the Fenian insurrection, and the universal loyalty invariably displayed towards the British Crown, must always command our highest respect and consideration for the Canadian people, and render it a matter of pleasure as well as policy to dráw as closely as possible the bonds of union between us. I am sure, also, that your Lordships will be glad to hear that Her Majesty's Government do not consider it necessary to continue the suspension of the Habeas Corpus Act, and that is one of the best evidences of the wisdom of the course which has been pursued by the Executive. We are all of us willing to bear testimony to the admirable mixture of firmness and conciliation which characterized the Administration of the noble Earl opposite (the Earl of Kimberley), and I hope the noble Lord now at the head of affairs in Ireland (the Marquess of Abercorn) will prove himself no unworthy successor; and I trust that, without having to recur to stringent measures, we may see the end of this deplorable, but happily unsuccessful, attempt of a party of misguided men to subvert all lawful authority in Ireland. In connection with this I may allude to another topic in another part of the Speech, but which is so closely interwoven with it that one is in fact a continuance, if not an equal part and parcel of the other—I mean that alluding to the relations between Landlord and Tenant. There are two much-vexed questions always supposed to lie at the root of all Irish grievances—the Established Church, and the land system as applied in Ireland. The first of these we are not now called upon to discuss, but the other is a question of great importance, which concerns the whole country — the owner of land, the occupier of land, the Roman Catholic priest, and the Protestant clergyman. It affects every one, and there can be no doubt that it is a matter of very great difficulty and of very great importance. Some are of opinion that legislation is necessary; but others say that legislation would only be an interference between capital and labour, and that it must be left between the man who lets the land and the man who holds it; that it must be left to the natural course of things to be set right. I am sorry to say the natural course of things has been in operation for a considerable length of time, and it has not done much for it yet. I only mention this to show the value of what I trust will be the action of Parliament upon the subject. I am glad that Her Majesty's Government have taken the question in hand, and I trust it will be satisfactorily settled by a Government at the head of which is my noble Friend, himself an Irish proprietor; and I may be allowed to say before his face it is an additional qualification for settling the question that his whole life has been an unvarying testimony of his practical anxiety for the welfare of all whom Providence has placed under him. We do not want securities for men who have neither capital nor enterprize; but we do want security that the man who has both, and who spends both upon the land that he tills, should not be deprived of the fruits of his industry, or that the landlord should reap the whole of the advantages which his enterprize and industry have conferred upon the land. If Her Majesty's Government can do this, they will do more to settle the agitation in Ireland, and to restore peace and tranquillity to the country, than by the most stringent measure of coercion which it is possible to propose. Such measures are but the irritating, though alas necessary, remedies that attack the manifest symptoms of the disease; the other would go far towards laying the axe to the root of the evil itself.

My Lords, the next points to which I wish to call your Lordships' attention are the cases of the cholera and the cattle plague. I am happy to learn that the former disease appears to be expiring; but there are signs that the cattle plague may again break out. My Lords, I come from a part of the country which, unhappily, suffered considerably from its ravages, and I believe that our sad experience has left us so entirely in the dark as to any means of prevention or cure, that if it should unhappily break out again, there are no better means to stop its ravages than those that were before resorted to—that is, to stamp out the disease by slaughtering the animals that are infected. Then as to sanitary measures, nothing can be better than an adequate supply of pure and wholesome water, respecting which Her Majesty's Government announce they are about to issue a Commission of Inquiry especially with regard to the metropolis. If this can be effected, it will be the best preservative that can be devised against cholera. In addition to this, there are several other measures of administration which are proposed—a measure for making better provision for the arrangement of the affairs of railways, for improving the management of the sick and other poor in the metropolis, and also various legal reforms and improvements to which I have no doubt your Lordships' attention will in due time be called.

There are one or two other important subjects to which I wish to allude before I sit down. The first is the organization of capital and labour. I believe that legislation can do little in this matter except by laying down sound economical principles and protecting every man in the freedom of his own industry. I must say this for the working men of the kingdom, my Lords, that I have always found them amenable to reason. I have had, in one way or another, a good deal to do with working men, and I have always found that they were open to reason. But, my Lords, I cannot say as much for the men who lead and guide them; men with ready tongues and mischievous brains, anxious at any price to secure their own momentary importance, and careless of the dangers and difficulties into which they are leading those who place only too implicit confidence in them. I am willing to admit that trades unions were, in their origin, perfectly legal, and might even in parts of their operation be beneficial. So long as the capitalists of this country were making large profits, it was reasonable that a portion of those profits should be transferred to labour, in order to ameliorate their condition and improve their wages. But, then, when profits had reached their minimum, when the trade of the country was in a state of collapse, is it reasonable that the rate of wages should still be insisted on being kept up to the same high standard? My Lords, I want the eyes of the working men to be opened to their own suicidal policy. They are killing the goose that laid the golden eggs. The trades unions may decide that the working man shall not take less than a given rate of wages; but they cannot compel the employer to give those wages.

"One man may bring a horse unto the brink,
But five-and-twenty cannot make him drink."

It has been well said that capital is a coy nymph; and that if she be too roughly wooed she is apt to fly away. My Lords, are there not signs that she is preparing to fly away? Carpenters' work is now, to a large extent, imported from abroad; the frames of doors and windows are now prepared abroad and imported into this country. It is important, then, to consider what, under these circumstances, ought to be done. With respect to the state of trade at home, I can speak for myself. I have had a good deal of work done within the last two or three years; and last year I was told by a master builder, whom I employed, "My Lord, if I had this work to undertake again I would not make the same terms with your Lordship that I have done; I would charge one-third more in price, and I would not enter into any contract as to the time when it should be done." How singular is the conduct of the London shipwrights. Think for a moment what that conduct is. The men have struck for 7*s.* a day; they refuse to work for 6*s.* 6*d.* a day; that is, for over £100 a year—a larger income than that which is enjoyed by many Government clerks and poor curates. But that is not all. They are willing, they say, to take 6*s.* 6*d.* a day, if an excuse can be made for them, and it can be made to appear that they are getting 7*s.* a day, because under no emergency is it to be supposed that their rate of wages is to be lowered. This, then, is the state of things. The men have refused 6*s.* 6*d.*; that is to say, they have refused an income of more than £100 a year. Their families are thrown upon the parish, and the wealthy are called upon to subscribe for them, and out of the charity of the people of England these destitute people are to be supported who have refused 6*s.* 6*d.* a day; and more than that, the parish rates will be raised on people who earn 5*s.* a day to compel them to support men who refuse to work for 6*s.* 6*d.* One thing more. The trades unions, when they go in for an increase of wages, promise an immediate gain to their members. Everybody can understand the advantage of an increase of wages. But when they go farther, when they interfere not only for the purpose of raising the rate of wages, but when they interfere with the freedom of labour of each other; when they insist that a man shall not be allowed to use those abilities which God has given him—that he shall not earn as much as he can by the labour of his hands for the support of his family, but insist on bringing all down to one low level, so that the skilful workman shall not do more than the most ignorant and idle—if this is to be allowed to take place, then, my Lords, I do not think I use too strong words when I say that it is absolute wickedness. One word more, my Lords, and I have done with the trades unions. In a speech delivered at Birmingham in 1860, the hon. Member for Birmingham says that—

> "Working men have associations, trade societies, organizations, and I want to ask them why it is that all these various organizations throughout the country could not be made use of for the purpose of obtaining their political rights."

Now, my Lords, after all that we have heard and seen of the way in which trades unions manage their own affairs — how carefully they treat the ticklish relations of capital and labour—with what caution and forethought they treat

the question of labour so as not to press too hardly upon the interests of the employers — how tender they are of the workman's wages—I ask, are they the people whom, in the event of their having a Reform Bill, with a considerable extension of the franchise—are they the people whom, in such an event, you would wish to see possessed of the larger portion of the political power of this country? A question has been raised whether there is to be a Reform Bill or not; but the question is now answered, and there is to be a Reform Bill. It must be admitted that the present time is unquestionably favourable for its consideration. There is fortunately no suffering in the country. The commercial panic has passed away. It has pleased God that there should be no disturbance at home or abroad, men's minds are full of the subject. The people of England have undoubtedly spoken their opinions very decidedly on the subject. It can no longer be said that there is no craving for Reform. There are large numbers of the working classes whom every man in England would be glad to see admitted to the franchise. I believe that if you were to poll all England, a very small percentage of the population would be found to say that it would be better to have no Reform. Another question is, what is the Reform Bill to be? and here there may be some difficulty about the matter. If the past has not decided what a Reform Bill should be, it has clearly pointed out that which it ought not to be; for it has been pretty well established that the country will not have a hasty and ill-considered and incomplete Reform Bill, nor one that will not set the question at rest for some time. These are the qualities that I hope to see developed; but, above all things, it must be such a Bill that while it shall not dispose altogether of the question, shall set it at rest for a considerable time. I think, if I may use such a phrase, that it is simple nonsense to be talking of finality in reference to Reform, you might as well talk of finality in reference to steam or gas; for in an age of progress such as this in which we live there cannot be such finality. What was sufficient for our fathers was not enough for us. What will satisfy us will probably not do for those who shall come after us. Whether it be a Liberal or a Conservative Government, if it is to stand, it cannot stand still; its progress must be upward and onward, and its motto must be *Excelsior.* The fact is that the progress of education and the spread of knowledge—and especially of the knowledge of political economy—has brought about this, that, whether for good or for evil, the people of this country will to a great extent govern themselves. The Government has not power to control this feeling, but it has the power of direction; and this power is that which must chiefly be exercised. The wheel will no doubt go round and the stream flow on, and the nation at large must move on with it. The object of a good Government must, under those circumstances, be to direct the wheel into the right groove, and to turn the stream into its proper channel, so that it shall be a fertilizing current instead of a devastating flood. A Reform Bill framed in that spirit will, I hope, be introduced by Her Majesty's Ministers; and a Bill so framed will, I have no doubt, recommend itself to the consideration of all classes of the people. When I mention all classes, I must except those who, under the name of Reform, would produce revolution, and who, instead of the adequate representation of all classes, would prefer to see established the dominant superiority of one class. I would say to such persons, "Show yourselves in your true colours; do you want a true representation of the varied feelings and interests of this country by honest, earnest men, convinced of the truth of the principles they advocate, or do you wish that the representative body of this kingdom should be reduced into a mere transcript of the popular feeling of the day, and, indeed, of the feeling of the most suffering, and, therefore, the most impressionable, part of the people of the kingdom?" In making these remarks, I must not be understood as contending that they furnish an argument against all Reform. On the contrary, there is no Member of your Lordships' House more sincerely convinced than I am of the absolute necessity of a considerable extension of the franchise as well as a re-distribution of seats. The considerations to which I refer were simply an argument in favour of great caution in dealing with our system of representation, as made up of parts which, although they may each of them be open to objection and capable of amendment, have yet worked well together, and made up a useful and harmonious whole. It is an argument in favour of a judicious, cautious, and temperate Reform; of a hesitation neither cowardly nor unwise over every footstep before it is definitively planted on that path where onward progress, be it to safety or to ruin, is fearfully easy—but return is impossible.

My Lords, I have now done; and I have only to thank your Lordships for the patience with which you have listened to me. But I will just add that the year that has passed has been one of suffering and of sorrow, owing to the prevalence of pestilence and other causes, yet during its course we have been spared the miseries of war; and I hope that, so far as we can judge, there is a better prospect before us for the future. And it is in accordance with this promise that the Government are about to propose what I think, without resorting to enthusiastic language, may be described as a very noble catalogue of measures which are likely to produce great good to the country; and it is now to the energy and sagacity of your Lordships' and of the other House of Parliament, and also to your courtesy and forbearance, that we must look for the hope of realizing a plenteous harvest from this "fair promise of the opening year." My Lords, in conclusion, I beg to second the Address which has just been moved by my noble Friend. [*See Page* 14.]

EARL RUSSELL: My Lords, I am happy to say with respect to the Address, which has been moved and seconded in a manner so fair and so temperate, that I can see no reason why we on this side of the House should offer to it any objection. But, with regard to the Speech from the Throne, I think it necessary to make a few observations. No one can complain either of the brevity of that Speech, or of want of variety in the topics with which it deals. I shall touch merely upon those points which I deem to be of the greatest interest and importance. The first which invites attention is the late war in Europe. In dealing with that question I would rather refer to a sentence which occurred in the Speech of Her Majesty at the end of last Session, than comment upon the very short paragraph in the Speech before us. At the close of last Session Her Majesty was pleased to declare—

> "Her Majesty cannot have been an indifferent spectator of events which have seriously affected the positions of Sovereigns and Princes with whom Her Majesty is connected by the closest ties of relationship and friendship; but Her Majesty has not deemed it expedient to take part in a contest in which neither the honour of Her Crown nor the interest of Her people demanded any active intervention on Her part."

I entirely agree with that proposition. It appears to me to state fully and satisfactorily the reason why Her Majesty's Government did not interfere in the war between Prussia and Austria. In the Speech read, Her Majesty is made to say—

> "I hope that the Termination of the War in which Prussia, Austria, and Italy have been engaged may lead to the Establishment of a durable Peace in Europe."

My Lords, we all hope the same; but although I, for one, sincerely hope that will be the case, this is a point on which, I am sorry to say, I am not sanguine. We cannot help seeing that ever since the aggression upon Denmark, two years ago, in opposition to all treaties and all faith hitherto observed with respect to treaties, a spirit of aggression has prevailed, or seemed to prevail, in Europe, especially in the case of one Power, which may in the future lead to great calamities. The subject is one, therefore, with regard to which it is impossible not to have some apprehension. I trust it will not be so, but it is impossible to ignore the possibility of such a catastrophe; still more, if we refer to rumours afloat on the subject. The next topic which is referred to in the Royal Speech is that with regard to the United States—

> "I have suggested to the Government of the United States a Mode by which Questions pending between the Two Countries arising out of the late Civil War may receive amicable Solution, and which, if met, as I trust it will be, in a corresponding Spirit, will remove all Grounds of possible Misunderstanding, and promote Relations of cordial Friendship."

I believe it is not quite the usual and grammatical construction of a sentence to talk about meeting a mode; but with regard to the substance of the paragraph, I see no reason why, because I, when at the head of the Foreign Office, did not accept certain propositions which were made to me, the noble Lord now at the head of that Department should not come to a different conclusion. I, myself, in dealing with questions relating to America—as, for instance, in the case of the Bay Islands—took a course more in conformity with the views of the American Government than my predecessors in Office had deemed it their duty to pursue. The honour of the country is not, I assume, compromised in the proposal which the Government have made. Indeed, I should hear with extreme and painful surprise that the noble Earl opposite had consented to any solution of the question of which this could be asserted. I conclude that the papers on the subject will be laid before Parliament at the earliest possible period, so that we shall be informed very soon what proposition has been made, and whether it has been met in the spirit which the Government seem so confidently to predict. There are various topics in the Speech which I do not think it necessary to deal with now. They are measures of great importance, and I trust that when they are produced your Lordships will find that they will be such as will be conducive to the welfare of the country. Passing over, however, these topics for the present, I come at once to a subject on which the attention of the country is fixed—I mean the subject of Parliamentary Reform. Upon that question the Speech from the Throne tells us—

> "Your Attention will again be called to the State of the Representation of the People in Parliament; and I trust that your Deliberations, conducted in a Spirit of Moderation and mutual Forbearance, may lead to the Adoption of Measures which, without unduly disturbing the Balance of political Power, shall freely extend the Elective Franchise."

I may, I hope, conclude from this paragraph—which is somewhat mysteriously worded—that a Bill will very soon be introduced into the other House of Parliament dealing with Reform; and that it will contain provisions so fair and satisfactory that that House may be able to meet and consider it in a liberal spirit, and to give it its support. Having paid a good deal of attention to this subject, and having been much connected with it, I must request your Lordships to allow me to state how it has arrived at the not very satisfactory position in which it at present stands. There was, unfortunately, incorporated with the Reform Act—against the wishes of its framers—a clause called the Chandos Clause, which introduced into the electoral body in the counties a set of persons who, I should say, were about the most dependent class existing in the country—namely, the £50 tenants-at-will. It was urged against the proposal that those tenants would be sure to vote in a particular way; that they were, in fact, so dependent upon their landlords that they would vote as they were bidden. However, the House accepted the clause, and the Government of Lord Grey did not think it wise to interfere with its decision. The consequence was that the Act, which might otherwise have settled the question of Reform for fifty years, subsequently became the subject of discussion in the House of Commons. It was then proposed, by an hon. Member of great respectability, to reduce the county occupation franchise from £50 to £10, and the House agreed to the second reading of a Bill brought in for that purpose fifteen years ago. But it was then thought that if changes were to be made in the Reform Act, there were other classes of persons who also ought to have the elective franchise, and that their admission to it would strengthen the Constitution, would give additional force to what may be called the garrison of the Constitution, and enable a large class of deserving men in boroughs, renting houses somewhat under £10, to take a greater interest in political affairs. These deserving persons comprised the well-doing artisans in the towns of this country; and it was therefore proposed that they should be admitted along with occupiers at a lower rent than £50 in counties. This last proposal was strongly opposed. It was said, "You must not degrade the franchise." That was the phrase constantly used. Accordingly, when the noble Earl opposite (the Earl of Derby) was in power in 1859, it was declared that the extension of the franchise must be only in a lateral direction—that no proposal for lowering of the suffrage in towns could be admitted or listened to. That, as I conceived, was a very great defect in the measure of the noble Earl, excluding, as it did, by a new Reform Bill, every man, however deserving, whose rent happened to be under £10 from the franchise. That Bill had also another defect—it would have tended to restore nomination boroughs, for it was quite clear that by certain provisions of it landowners living 200 miles off would be enabled to go and vote, and thus swamp the inhabitants of the borough. I thought, therefore, that it was my duty to endeavour to persuade the House to reject the Bill. The House of Commons listened to me, and passed a Resolution which the Government were obliged either to accept or else they were bound to give up their Bill. The Government gave up their measure and dissolved Parliament. It is true that they afterwards intimated that they thought the borough franchise might be lowered, but that was only when a Motion of Want of Confidence in them was brought forward by the Marquess of Hartington. Since then the lowering of the franchise has been constantly opposed; and before the elections in 1865, it was declared by the right hon. Gentleman the Member for Buckinghamshire (Mr. Disraeli) that, most happily, the House of Commons had refused to "degrade" the suffrage. That, however, was not the real question, but whether the artisans of this country, the best of them living in houses somewhat under £10, should, or should not, have the power of voting for Members of Parliament. I made a variety of proposals upon that subject, but they were all to the same effect. There was not one of those which I do not still consider to be a good proposition, though some may have been better than others; but the party now in power constantly and openly opposed them all. Then, my Lords, what happened last Session? The Government of that day thought it right again to introduce a measure on that question; and I think your Lordships will see that the proposition to admit to the franchise in counties tenants at a value somewhat under £50, and in towns a number of artisans occupying houses at a value somewhat under £10, need not have frightened anybody, especially as a very similar proposal had been carried into effect with your Lordships' consent in respect to Ireland, where the occupation franchise is now fixed by Act of Parliament at £12 in counties and £8 in boroughs. By our Bill of last year we proposed an occupation franchise of £14 in counties and £7 in boroughs. It might at least have been dispassionately considered, but how was it met? Our proposals were met in a manner which I have always considered was neither honourable to those concerned, nor safe for the country; for it has been the cause of what the noble Lord the Seconder of the Address complained of, when he said that there were persons who, as he stated, were misleading the artisan classes. The noble Earl opposite thought it necessary last year to make a declaration as to the course which he should pursue with regard to our Bill. I have referred to the speech made by the noble Earl, in which he found fault with my conduct in regard to his Bill of 1859. The noble Earl said—

> "How that Bill was encountered, defeated, and got rid of, perhaps the noble Earl has now forgotten. I can assure him I have not."—[3 *Hansard*, clxxxi. 100.]

Then, going on to make a declaration of the course which he should himself pursue with respect to any measure introduced by the then Government, on February 6, 1866, the noble Earl proceeded as follows:—

> "I will express no opinion upon their measure until I have seen it. I hope it will be such a measure as I shall be able to support, that it will be a reasonable and satisfactory settlement of this great and important question, which I believe it is desirable to settle, and settle once for all. And I promise the noble Earl another thing —that his Bill shall have fair play; that it shall not be thrust aside by any underhand methods; that there shall be no factious movements or combinations against it on the part of those who can combine for nothing else; that it shall be dealt with on its merits; that if we can approve it we shall give it our cordial support; but that, on the other hand, if we disapprove it and think it is imperfect, inadequate, or dangerous, and, above all, if we think it one leading to future agitation within a brief period of a perilous character, then with whatever means we may possess we shall do our best to throw it out by fair debate and honourable opposition."—[3 *Hansard,* clxxxi. 101.]

My Lords, it is my privilege to give my opinion on this matter, and I must say I think our Bill did not have "fair play;" that it was encountered by "underhand methods" and by "factious movements and combinations on the part of those who could combine for nothing else;" that it was not "dealt with upon its merits;" and that it was not met by "fair debate and honourable opposition." That, my Lords, is a statement of my opinion. It is hardly necessary that I should now trace the career of that Bill through the House of Commons, but I may state what I hold to be a fair opposition. Our plan for reforming the county occupation franchise was by placing it at £14. It was proposed, on the other hand, that £20 should be the limit fixed. That was, I think, a fair mode of meeting the Bill, and an honourable way of dealing with the question; and if it had been adopted by the House of Commons, it would have formed a basis for the county franchise. Now, let me state what I regard as a course of quite a different character. It was said that a Bill proposing in the first place to deal with the franchise in England, similar to one which had been passed in the case of Ireland, was not sufficient. It was proposed that the measures for the re-distribution of seats should be dealt with in the same Bill as the franchise; and that proposal was supported, not by those who wished to see a great and complete measure of Reform, but by those who were opposed to any change in the present system, and who thought it would be inconsistent with the public interests to have any Reform at all. That proposal was defeated; but it was afterwards agreed by the Government that the Re-distribution Bill should be grafted upon the Bill for extending the franchise. Again, when we submitted our measure providing for the re-distribution of the seats, it was sought to graft upon that the further proposal that the part of the Bill dealing with the re-distribution of the seats should be taken first and disposed of before proceeding with the other part of the question. Now, if your Lordships will consider that in 1832 the question of the simple re-distribution of seats occupied from the beginning of July till the end of September, and that our draft Bill contained, not only proposals for taking away Members from certain boroughs, but also for grouping different towns together with a view, if possible, to prevent bribery and corruption, you will at once perceive the inevitable result. Had the House of Commons decided upon proceeding with that portion of the measure first, there would have been such lengthened controversies every day, not only upon the different places that were to be grouped, but also as to one borough being ten miles distant and another not more than eight, and the like *minutiæ*, that it would have taken probably from the beginning of July to the end of September to get through Committee, and it would then have been quite impossible before the close of the Session to have had any discussion on the real question—namely, whether a £6, a £7, or an £8 rating, or any other franchise, should be adopted for boroughs. That was the way in which the then Opposition evaded dealing with the Bill of the late Government on its merits. They endeavoured to defeat it by underhand proceedings, and by a proposal contrary to the rules of the House of Commons, and the practice of honourable opposition. It was contrary to the regulation that all parties have adopted for many years, that of giving notice of any important Amendment, and placing it on the Votes in a printed form, so that those who have to meet it should know what that Motion is. That step was taken without any such notice, and without any knowledge on the part of the Government that any Motion was about to be made. The Government were not aware of the Amendment till within five or ten minutes before it was moved, and they had come down prepared to deal with a Motion of which notice had been given in the regular way. That was the course adopted by the Opposition. I call that an unfair and underhand course, I say that, with regard to the Bill of the late Government it was not met on its merits, but an attempt was made to form a combination against it on the part of those who were unable to combine on any other subject. If I am well-founded in my history of what then took place, the noble Earl opposite has no occasion to "thank God that he was not as other men," nor even as those Publicans of 1859, because he was quite as bad as those Publicans. With respect to the Bill which the noble Earl is about to produce, I only hope that it will be produced soon; that it will contain such provisions that it may receive the support of the House of Commons and of your Lordships. For my own part, I neither promise to support it nor do I threaten opposition to it. If it be a good Bill, no doubt we shall be happy to see it carried. If it be a bad Bill, with an incomplete or delusive franchise, it would only lead to that to which the noble Earl last year justly objected. If we think it will lead on a future occasion to agitation of a perilous character, it will be our duty to oppose it. If the House of Commons pass a fair Bill, and your Lordships approve it, giving a great body of the artisans of this country the privileges which they are well fitted to exercise—if we impose upon them the duty which they are well fitted to perform, that of exercising one of the most important functions which can be exercised in a free country in voting for representatives to Parliament; in short, in selecting men on whom the conduct, power, faith, and freedom of this country depend for many years—if you give them that advantage freely and fairly, and to a proper extent, then you may hope to settle this question. But if, on the other hand, you endeavour by any tricks or shuffles to cheat them of that fair right, and endeavour to give them less than that to which they are entitled, you will not succeed, and you will lay the foundation of future agitation. I am aware that many of the public meetings have declared in favour of manhood suffrage, but hardly any one in either House of Parliament wishes for such a suffrage, and if you give the working classes of this country a fair proportion of votes you may hope to settle this question for a considerable time. But if you deal with it unfairly and inadequately there can be no better theme for agitation at the General Election, which must take place soon after the passing of such a Bill, than that the present House of Commons cheated the country, and that it was necessary to have a new Reform Bill and new Members of Parliament who would do their duty to their constituents more honestly than the Members of the present House of Commons. If I were an agitator I would wish for no better theme. The noble Earl having arrived at the conclusion that there ought to be a large Reform, will, I trust, reduce the franchise to such an extent that his measure will be accepted by the country. We all know very well that there are different methods of reasoning which affect different minds. Some people are very well convinced by the inductive method; others are more convinced by the method of deduction. Some like the algebraic, and others the geometric method. But with regard to noble Lords opposite there is no way which succeeds so well as being in Office. The noble Earl, in a speech delivered by him at Liverpool in the course of the summer, dwelt upon the great advantage arising from a change of Government from time to time. I quite agree with him in what he said; but there is a further advantage which he did not mention—namely, that when the noble Earl comes into Office he perceives the truth of propositions which he has been opposing for fifteen years. I have only further to say that I trust the measure which the Government have announced with respect to Ireland will have all the merits which ought to belong to our legislation on this subject—that it will have no injurious effects on the rights of property, but that it will enable tenants to make improvements. If the noble Earl secures those objects he will confer a great advantage upon Ireland. The last time the noble Earl was in Office he was particularly fortunate in the selection of his Lord Lieutenant. Lord Eglinton performed the duties of Lord Lieutenant in a manner which won the respect and admiration of all parties in Ireland and in this country. I believe that he has been equally fortunate in the selection of the present Lord Lieutenant, who has conducted himself in a manner to which no one can object. Of course, the duties of a Lord Lieutenant are those of Administration solely. As the late Lord Wellesley said, the duty of the Lord Lieutenant is to administer the law and not to alter it. There are other questions of importance affecting Ireland—among them that of landlord and tenant—which, when we have got rid of Reform, will deserve the attention of your Lordships as much as any question can. My noble Friend (the Earl of Kimberley), when he was Lord Lieutenant, made many valuable suggestions in regard to Ireland. But nothing can be undertaken on the subject of Ireland without the deepest consideration. The best intentions are not enough, but I do trust that measures for the amelioration of the condition of Ireland will be considered with deliberation and will be carried. I thank your Lordships for your attention, and have only to add that I do not consider it necessary to move any Amendment to the Address.

THE EARL OF DERBY: My Lords, I trust that, in addressing your Lordships, I may be permitted to express my gratitude to my noble Friends behind me for the very succinct, clear, and able manner in which they moved and seconded the Address. I should hardly have thought it possible to go through the varied topics of a Speech from the Throne with so much clearness, discretion, and brevity as was done by my noble Friend who moved the Address. There was not a single topic of the Speech which he left untouched, and not one which he did not touch upon with the most perfect fairness and discretion. I must also express my satisfaction that the noble Earl who has just sat down has not found any matter for comment—certainly not for objection—in the Speech from the Throne. I am more satisfied with the course which the noble Earl has found it expedient to pursue than even with his assurance that he does not intend to move an Amendment to the Address. In his somewhat lengthened discourse the noble Earl — with the exception of one important topic—has not commented on the Speech, but has thought it necessary to enter into an historical discussion as to the progress or non-progress of Reform for the last five-and-thirty years, and concerning the various Bills, and discussions, and disputes which have taken place. My Lords, I may say, at the outset, that I must decline to follow the noble Earl into that part of his speech. It is our earnest desire and hope that this great question of Parliamentary Reform may meet with an early and satisfactory settlement. Her Majesty's Ministers having announced their intention of bringing forward the question at a very early period, I may at once relieve the noble Earl's anxiety as to any attempt at delay upon our part by saying that upon the very earliest possible day—I believe on Monday next—it is the intention of my right hon. Friend the Chancellor of the Exchequer to lay before the House of Commons in detail the proposal which Her Majesty's Government intend to bring forward. But, my Lords, I am compelled to say that there is no hope of a satisfactory settlement of such a question if it be taken up in the spirit and in the temper which I am sorry to say the noble Earl has manifested. If it be the intention to meet this question, not with the view of considering what is best to be done, but by bandying recriminations with the opposite party, and with charging them with unfairness, inconsistency, and double dealing, and what not, and by carrying the recrimination backwards to a period of fifteen years or more, then I say, my Lords, there is no hope of this question arriving at a satisfactory settlement. In that case I should deeply regret the course which Her Majesty's Government have been induced to pursue in raising a question which can only lead to angry discussions without any probability of a satisfactory result. My Lords, we do desire to see this question satisfactorily settled. If, however, we desire to see the representation of the country placed upon a sound basis—if we desire to see a settlement of the question, which I do not say should be final, but which shall render unnecessary and improbable any agitation with regard to further measures for a very considerable time, then I say that such an object cannot be attained by making the question one of party and of political strife for the purpose of obtaining Office or Parliamentary majorities. The subject must be examined in a fair, deliberate, and dispassionate spirit. We must be prepared to give and take—we must be prepared to meet each other's views — we must be prepared, above all things, to cast away all questions of party and all questions of strife and political power. [*Laughter.*] Noble Lords laugh; but I say this, and I am speaking from the deepest conviction in my own mind, that there is no possible Government in this country that could, at the present moment, by itself carry a Reform Bill. The noble Earl tried it last year, when he thought he had a majority. He laid down the broad principle, that no Government was required or justified in bringing forward a Reform Bill unless they thought they had a reasonable prospect of being able to carry it. I do not go quite so far as the noble Earl; but I say that in the present state of parties no Government—be it on this side of the House or be it on that side of the House—can hope to carry by their own separate and distinct exertions such a Reform Bill as they might think the most desirable. If this question is to be settled it must be settled by mutual compromise, and by mutual forbearance, and not by bandying recriminations and reproaches upon past discussions and past differences. Although I cannot commend the accuracy of the noble Earl's recapitulation of what took place either in 1859 or 1866, I will not follow him into the topic. I will not argue with him as to the statement which the noble Earl made that from the period extending from 1832 down to 1866 the desire and attempt of the Conservative party was to keep the borough franchise from being reduced below £10, and to keep the county franchise from being reduced below £50. I may, however, say that, with regard to the county franchise, it is notorious that in 1859 the then Government proposed a larger reduction of the county franchise and a greater extension than has been proposed since that period. But the sense of the House, of the public, and of the country was pronounced against the proposal. It was, I think, a matter open to argument, that the county and borough franchise should stand upon the same footing; and it was in accordance with this view that when we proposed largely to reduce the county franchise we declined to reduce the borough franchise, so that we might maintain an equality betwixt the two. That proposal, however, was not sanctioned by the country or Parliament, and has never been introduced since, it having been generally admitted that there should be a difference with regard to the amount and character of the qualification of the counties and boroughs. From that time the noble Earl certainly has not given us many opportunities of expressing our opinion upon the subject. Since 1860 down to 1866 he was perfectly satisfied to leave the whole question of the franchise and Reform alone; and it was not till last year that his newly awakened zeal for the benefit of the artisans and the working classes led him to bring forward a hasty, imperfect, and crude proposition. How the Bill was defeated is matter of history. It was not defeated solely by the political opponents of the noble Earl, but by many of those who, being his supporters, felt the measure was so ill-considered, so incomplete, so unsatisfactory, and at the same time so dangerous, that, although the House of Commons had unanimously assented to the principle of a Bill extensively lowering the franchise, and introducing material changes, yet, when they came to discuss the details of the measure, they felt they could not give it their support. It was not, therefore, by the opposition mainly of the opponents of the then Government, but practically by the opposition of those who were generally supporters of the Government, and Members of the Liberal party, that that Bill was pronounced to be one to which the House of Commons could not give its sanction. I beg your Lordships' pardon for having been led into taking so much notice of the topics that have been introduced by the noble Earl. I will not say a word further about the measure which Her Majesty's Government are to bring in, but that this question should be left for discussion until the time when it is fairly brought before the House. I think that this question cannot be brought forward in a satisfactory manner upon such an occasion as the discussion of the Address to the Crown; but that when it is brought forward it should be laid before the House in such a manner as will fully and clearly set forth the reasons for the course which it is intended to pursue, and will give the House, which is principally, though not exclusively, interested in its settlement, a full opportunity of passing their judgment upon the measure recommended by Her Majesty's Ministers. Passing from this subject, there are only one or two further topics contained in the speech of the noble Earl to which I can advert. In the first place, he expressed a hope that in any proposition that might be made by the United States Government for the settlement of those unfortunate differences which have arisen out of the late Civil War, the present Government may do nothing which may sacrifice or imperil the honour of this country. He did not complain that Her Majesty's present Government had taken a different course from that which he had thought fit to pursue; but he hoped we should make no concessions calculated to sacrifice the honour of the country. My Lords, although certain negotiations have taken place, the correspondence has not yet arrived at the point at which I should think it consistent with my duty to lay it before the House; but I may venture to say that in that correspondence whenever it shall be laid before your Lordships—and it shall be laid on the table at as early a period as the public service will allow—the noble Earl will find that while Her Majesty's Government are disposed to come to an amicable solution of the matter if they are capable, they will in no degree depart from that which is due to the honour of the country, or forfeit any of those rights which properly belong to independent nations. The noble Earl has stated that he believes some proposition has been made to the Government of the United States. The fact is this:—Shortly after the accession to Office of the present Government the United States Government addressed a despatch to the noble Lord at the head of the Foreign Office recapitulating the grounds of complaint which they stated they had against the British Government. In point of fact, these were the same as those which had been before pressed upon the noble Earl. In answer to the despatch my noble Relative thought it necessary to enter, not acrimoniously but particularly, into a discussion of the various points which the United States Government presented for adjustment and compensation. I may say that there was one question which pressed upon my mind, as it had on the mind of the noble Earl opposite, and upon which we found it impossible to come to any compromise, and that was the question of the right of this country to decide at what time, and under what circumstances, it should recognise belligerent rights. With regard to this point, I think the answer which the noble Earl formerly gave was entirely conclusive—namely, that in the first place the question of the discretion to recognise belligerent rights was inherent in an independent country; and in the next place, that in this particular instance the recognition of belligerent rights did not precede but followed the declaration of blockade on the part of the United States Government. Blockade is essentially an exercise of belligerent rights; and after the blockade had been declared by one of the belligerents, there were but two courses for the Government of this country to pursue—namely, to refuse to recognise the validity of the blockade on the ground that there were no belligerents, or to recognise the belligerent rights of both parties. Between these two alternatives the late Government selected that which the noble Earl truly said was most friendly to the United States—namely, they recognised the very imperfect blockade. At the same time, they found themselves under the necessity of recognising correlative obligations. I cannot but think that this is a point which the United States Government will not, upon reflection, think it necessary or expedient to press, and for this reason:—We saw lately, I think it was upon the introduction of the new French Minister from Washington, that a declaration was officially made to the effect that after the evacuation of Mexico by the French troops there would no longer remain between the two countries a single question which could lead to a ground of difference, or be made the subject of complaint; and thus nothing would remain to interfere with the cordial relations which the United States always desire to keep up with France. Now, with regard to the recognition of belligerent rights, Her Majesty's late Government and the Government of the Emperor of the French proceeded in concert, acting simultaneously, and pursuing a precisely identical course; and even if I attributed to the United States Government a feeling of unfriendliness towards this country—which I am very far from doing—they could not denounce as a reasonable ground for complaint, compensation, and remonstrance against this country that which they have officially declared to be no obstacle between friendly nations on the part of the Government of France, whose action was simultaneous and identical with that of this country. But we have said this—if the Government of the United States will state the principle upon which the arbitration is to proceed; if they will point out the precise question which they wish to have referred to arbitration, and the grounds on which they ask for redress and compensation, we, on our parts, shall be quite ready to meet them in a friendly spirit for the purpose of discussing the particular questions on which the arbitration is sought; and if we can find an impartial arbitrator, we shall be prepared to submit those questions to his judgment. These are, in substance, the proposals we have made to the United States Government. It remains to be seen whether negotiations founded on those principles can be brought to a satisfactory conclusion. I hope and trust that they may; because I am convinced that there are no countries whose interests are more deeply involved in the maintenance of friendly relations with one another than this country and the great Republic on the other side of the Atlantic. I believe that nothing could be more suicidal than a war between England and the United States; and that no other countries in the world could either inflict upon each other so large an amount of injury, or be productive to each other of so many benefits. There is, I think, only one other point in Her Majesty's Speech to which the noble Earl adverted, and that is the measure which we propose to introduce for the settlement of the relation between landlord and tenant in Ireland. I do not at all wish to detract from the merits which the noble Earl ascribed—and very properly ascribed—to the Administration of the late Lord Lieutenant of that country; and I agree with the noble Earl that one of the Irish questions most necessary to be solved, and at the same time perhaps most difficult of solution, is that question of the relation between landlord and tenant. I will not, however, anticipate the discussion of that particular measure which we propose to bring forward. The Bill upon the subject is prepared, and is ready to be laid upon the table of the other House; and I will only say that in preparing that Bill Her Majesty's Government were anxiously desirous of giving, on the one hand, every facility to tenants for improving their holdings and for benefiting themselves by those improvements, and, on the other hand, of maintaining those just rights of property on the part of landlords which cannot be interfered with without destroying the whole social condition of this country. As the noble Earl did not think it necessary to comment on any other portion of Her Majesty's Speech, and as, after waiting for a little time, I did not find that any other noble Lord was desirous of addressing your Lordships, I will not touch any further upon the various topics to which the Speech refers; but I will content myself with expressing my thankfulness to your Lordships for the manner in which you have received the Speech and the Address, and I hope that the temperate spirit which has been displayed upon this occasion, furnishes a just indication of the courtesy and the candour with which the measures that may be submitted to your Lordships will be received during the remainder of the Session.

Address *agreed to*, *Nemine Dissentiente*, and Ordered to be presented to Her Majesty by the Lords with White Staves.

CHAIRMAN OF COMMITTEES.

The LORD REDESDALE appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session.

COMMITTEE FOR PRIVILEGES—Appointed.

SUB-COMMITTEE FOR THE JOURNALS—Appointed.

APPEAL COMMITTEE—Appointed.

House adjourned at half past Seven o'clock, to Thursday next, a quarter before Five o'clock.

HOUSE OF COMMONS,

Tuesday, February 5, 1867.

The House met at half after One of the Clock.

A Message from Her Majesty, by Sir Augustus Clifford, Gentleman Usher of the Black Rod—

"MR. SPEAKER,

"The QUEEN commands this Honourable House to attend Her Majesty immediately, in the House of Peers."

Accordingly, Mr. Speaker, with the House, went up to attend Her Majesty:—

And being returned;

NEW WRITS DURING THE RECESS.

Mr. SPEAKER acquainted the House that, during the Recess, he had issued Warrants for *New Writs, for* Brecknock Borough, *v.* Earl of Brecknock, now Marquess Camden; *for* Penryn, *v.* Hon. Thomas George Baring, now Lord Northbrook; *for* Gloucester County (Western Division), *v.* John Rolt, esquire, Attorney General; *for* Pembroke County, *v.* George Lort Phillips, esquire, deceased; *for* Guildford, *v.* Sir William Bovill, Chief Justice of the Common Pleas; *for* Tipperary, *v.* John Blake Dillon, esquire, deceased; *for* Belfast, *v.* Sir Hugh M'Calmont Cairns, one of the Judges of the Court of Appeal in Chancery; *for* Wexford County, *v.* John George, esquire, one of the Judges of the Court of Queen's Bench in Ireland; *for* Waterford County, *v.* Earl of Tyrone, now Marquess of Waterford; *for* Armagh Borough, Stearne Ball Miller, esquire, one of the Judges of Her Majesty's Court of Bankruptcy and Insolvency in Ireland.

NEW MEMBERS SWORN.

Richard Garth, esquire, *for* Guildford; Howel Gwyn, esquire, *for* Brecknock Borough; John Vance, esquire, *for* Armagh Borough; Jervoise Smith, esquire, *for* Penryn; Charles Lanyon, esquire, *for* Belfast; James Bevan Bewen, esquire, *for* Pembroke County; Hon. George Douglas Pennant, *for* Carnarvon County; Hon. Adelbert Wellington Cust, *for* Salop (Northern Division); Hon. Captain Charles White, *for* Tipperary; Sir John Rolt, *for* Gloucester County (Western Division).

PRIVILEGES.

Ordered, That a Committee of Privileges be appointed.

OUTLAWRIES BILL.

Bill "for the more effectual preventing Clandestine Outlawries," read the first time; to be read a second time.

NEW WRITS ISSUED.

For Northampton County (Northern Division), *v.* Lord Burghley, now Marquess of Exeter; *for* Suffolk (Eastern Division), *v.* Sir Edward Clarence Kerrison, baronet, Chiltern Hundreds.

THE QUEEN'S SPEECH FROM THE THRONE.

MR. SPEAKER *reported,* That this House has, this day, attended Her Majesty in the House of Peers, when Her Majesty was pleased to make, by Her Chancellor, a most gracious Speech from the Throne to both Houses of Parliament; of which, Mr. Speaker said, he had, for greater accuracy, obtained a Copy:—

And Mr. SPEAKER read it to the House.

ADDRESS TO HER MAJESTY ON HER MOST GRACIOUS SPEECH.

MR. DE GREY rose to move that an humble Address be presented to Her Majesty in answer to Her most gracious Speech. He said, he could not but feel that if, under ordinary circumstances, no Member unused to take part in the debates of this House could venture to rise without asking the indulgence of the House, still more must he, one of the youngest of its Members, claim that consideration which was always so generously bestowed on those who undertook the duty. But there were special circumstances which required that he should use peculiar caution in addressing them. In the last Session a great struggle took place, which terminated in a change of Ministry. It could hardly be said that the House had settled down into that regular division of parties which it usually presented; and if he should be so unfortunate as to say anything which might be distasteful to any section of the House, or to any Member of it, in commenting upon the various questions which arose out of Her Most Gracious Majesty's Speech, he trusted it would be attributed solely to his want of practice and experience. Though this House might be more than usually divided in its opinions, he thought he should not be wrong if he ventured to express his belief that there was in it such an amount of fairness and independence that we might expect that good measures would receive a large amount of support from whichever side they might emanate, and that Her Majesty's Government would be met with that fair dealing which the circumstances under which they had taken Office (and he trusted with confidence the measures they would propose) would be acknowledged to have entitled them to. He would not pursue this train of thought further. There was much in the Speech of Her Majesty, whose most gracious presence at the opening of the Session had been a source of heartfelt gratification to them, in common with all Her loyal subjects—there was much in that Speech which was the subject of congratulation, and nothing more so than the fact that she was able to inform them that friendly relations subsist with all foreign Powers, from which assurance we might fairly infer that we should continue to enjoy the blessings of peace. The policy of Great Britain was assuredly a policy of peace. If there was one thing that distinguished this country from many others it was that she had long ceased to have any ambitious desire for territorial aggrandizement. Her flourishing trade at home and abroad, the enormous development of her manufacturing industry, and her sense of the obligations of justice, humanity, and religion, all led to a strong desire on the part of every class for the maintenance of peace. With this object they were commonly told that they must avoid interference with the affairs of other countries; but, however much they might desire to act upon this policy, they could not altogether separate themselves from the great community of nations which everywhere surrounded them and their possessions. The tendency of railways and other modern improvements was to bring them more into contact with foreign Governments and peoples; and it was hardly to be hoped, except under a reign of universal peace (which, at present at least, appeared to be far distant) that they could preserve intimate relations with other Powers, without questions arising which might cause disputes and even force hostilities upon them. With a view to such contingencies this country must reserve to herself the right and power of defending her own dignity and honour whensoever and by whomsoever they may be attacked. To do this effectually she must necessarily keep up the efficiency of her fleets and armies, and strengthen them by all those modern appliances which had recently proved so formidable and effective, and had wholly altered the nature and operations of modern warfare. And they must not neglect to use every effort for ameliorating the condition and securing the increased comforts of their soldiery. The improved condition of all classes led to an earnest desire that the army should participate in these advantages. The necessity also of providing an efficient army of reserve must not be overlooked. They were, therefore, fully prepared for the paragraph in Her Majesty's Speech which called upon them to sanction some necessary expenditure for this purpose; and he felt confident that the House would not be backward in providing the means for meeting Her Majesty's wishes, at the same time that they heartily thanked Her Majesty for the gracious announcement that the Estimates had been prepared with every regard for combining efficiency and economy. The year 1866 had witnessed a great change in the map of Europe; with the events by which that change had been effected hon. Members must necessarily be familiar, for the circumstances which attended it were followed by every one in this country with the deepest interest. Strongly as he might feel as to the conduct of those who were engaged in that short but sanguinary and decisive struggle, he should be unwilling to provoke a discussion or to rake up those differences of opinion which no doubt existed upon this question. But, fully admitting the expediency of avoiding, as far as possible, intervention in the affairs of other nations, he could not but feel a misgiving as to whether this country might not have acted with more firmness at a much earlier period, and used her influence successfully for the prevention of injustice and wrong. But, whatever their private and personal feelings might be, they could not but concur with Her Majesty in the hope that the establishment of a strong ruling Power in Germany would prevent any renewal of hostilities, and lead to a long and lasting peace in Europe. Her Majesty had been graciously pleased to announce that she had suggested to the Government of the United States a mode by which questions arising out of the late Civil War in America may receive an amicable solution. This subject had long occupied the attention of, and entailed a lengthened correspondence between, England and the United States of America. It was a question which, perhaps, admitted of some doubt whether the occurrences which led to this correspondence amounted to a breach of the Neutrality Laws; but much ill-feeling had been created, and it was not unnatural that the American people should feel strongly upon the subject. It was therefore to be hoped that the suggestion of Her Majesty's Government would be generously accepted by the American Government in the same spirit in which it had been made, and eventually lead to such an arrangement as would bring about a thorough mutual good understanding, and, if necessary, such an alteration of the Neutrality Laws as would clear up all doubts and prevent any such differences arising for the future. Upon the next paragraph in Her Majesty's Speech, relating to the war between Spain and the South American Republics, it was not his intention to comment at any length. The wanton destruction of property of a private nature in the bombardment of maritime towns, even in warfare, was an act contrary to all the principles of modern civilization, and it was not unsatisfactory to know that in this instance this was not done with impunity. Though the offers of mediation made by Her Majesty's Government in the hope of restoring peace to these distant countries had not been accepted, it was much to be hoped, in the interests of humanity, that all questions which had unhappily arisen between these descendants of a common origin might speedily be settled under the auspices of a friendly Power. It was gratifying to learn that the efforts of Her Majesty and her allies had been directed to bringing about such improved relations between the Porte and its Christian subjects as were not inconsistent with the sovereign rights of the Sultan. As a Christian nation they could not but feel sympathy with all Christians who lived under Turkish rule; but it was satisfactory to find that Her Majesty had not found it necessary to exercise any active interference in those internal disturbances which had prevailed in some provinces of the Turkish Empire, and broken out in actual insurrection in Crete; and it was to be hoped that Her Majesty would now be able to promote with effect those benevolent objects that her efforts had been directed, in conjunction with her allies the Emperor of the French and the Emperor of Russia, to insure. Her Majesty also announced that she had acknowledged Prince Charles of Hohenzollern, who had been chosen by the inhabitants of the Danubian Principalities as their ruler; and it was to be hoped that his accession would lead to a firm union of those provinces, and be followed by that prosperity which was the natural consequence and, at the same time, the surest test of good government. Her Majesty further informed them that she had commanded a Bill to be submitted to Parliament for the Confederation of the British North American Provinces. At no period during the history of this country had the relations between the respective provinces and the Home Government been in a more satisfactory condition than they were at present. At no time had there been a more cordial feeling existing between them and the mother country. They had seen how willingly the Canadians had undertaken the organization of Volunteer forces and the training of militia, and freely disbursed the funds necessary for the defence of our mutual interests. England could not but reciprocate this feeling; and the noble manner in which the inhabitants of these provinces had come forward to defend themselves, and their connection with this country, must make every Englishman feel a desire that we should do our part to confirm and ratify a scheme of Confederation which had received the sanction of the authorities and the great majority of the people of these countries. It was understood that at present certain provinces had not joined in the plan of Confederation; but if, as it seemed the Government had reason to believe, the proposed Confederation, so far as it was intended to be carried out, was the real desire of the people, and was likely to strengthen them against possible enemies, it must be wise that we should give a willing assent to their wishes, and rejoice to see a United Canadia arise in the place of the now separate, but not unfriendly, provinces. One of those dreadful famines which seemed to occur periodically in India had, during the past year, attacked part of the Bengal and Madras Presidencies. Great difficulty appeared to have been experienced in conveying the necessary relief to the suffering districts, and had not an abundant harvest, under the blessing of Providence, helped to allay the sufferings which at one time carried off thousands every week, it was impossible to calculate what might have been the extent of those lamentable consequences which neither the liberal flow of private charity, which was always so readily forthcoming, nor the action of a sympathizing Government which the emergency called forth could ever have been sufficient to avert. There is no doubt an ample opening in India for those great public works and improvements which were calculated to develop the resources of an Empire; and when communication was better established by means of railways or canals the food produced in one part of the country, which might not, perhaps, be affected by the destructive causes operating upon another, would more easily be conveyed to the point where the necessity for it occurred, and relief would thus be more immediately afforded. Nor did it seem that the primary cause was entirely beyond the control of human foresight. In a country like India, whose rivers and streams were numerous, where in seasons of unusual drought in many vast districts the produce of cultivation was entirely destroyed, or cultivation itself rendered impossible, much might surely be done by means of irrigation, and a judicious expenditure begun in time might secure the inhabitants of those districts in a great measure from the recurrence of similar calamities. Parliament must heartily rejoice with Her Majesty that it was no longer necessary for the safety of her subjects in Ireland to continue the suspension of the Habeas Corpus Act. They must be thankful to feel that the attempt at insurrection there had been successfully quelled and kept under control by the firmness with which it was met, tempered as that firmness was by the liberal mercy of the Government, and that without a single outbreak, or the shedding, he was glad to say, of one drop of Irish blood, showing that when a Government were determined upon a decisive course of action which they felt to be the best and surest means of putting a stop to threats of rebellion, offenders against the law would rarely venture to come to a direct issue with them, and that there was little real danger to the security of life and property which it was the first duty of every Government to maintain. But, while we congratulated ourselves on the result of the firmness and decision of those whose primary duty it was to determine the course of action to be pursued, we must not forget to give due credit to those on whom was thrown the arduous and delicate duty of carrying out the policy of the Government. In these days, when the liberty of commenting on the conduct of public servants was so freely indulged in, their responsibility was enormously increased, and it was satisfactory to feel that in this case the conduct of those who were engaged had met with approval from all parties. One of the most gratifying circumstances attending the past crisis was the fact, so graciously announced by Her Majesty, of the hostility manifested by all classes and creeds to the authors of these disturbances. Indeed, the stand taken against Fenianism by the large body of influential Roman Catholics, headed by their clergy, must have proved of the greatest assistance and support to Her Majesty's Government. Under these circumstances, it was not unnatural that the Government should have been anxious to consider whether anything could be done to mitigate the feeling of discontent which too frequently, and most unhappily for its prosperity, prevailed in that portion of Her Majesty's dominions. Among the questions which appeared to cause that discontent, one in particular arose out of the relations of landlord and tenant, and when we were told that a measure was in contemplation for securing to tenants compensation for farm improvements, we might, perhaps, look upon the announcement as a graceful tribute to the loyalty and good feeling which had actuated so large a portion of the population of Ireland. To us in England it appeared almost difficult to imagine that there should be a necessity for any special legislation on this point. Our tenancies were subject to certain conditions, to which both parties agreed in the first instance; in the absence of previous agreement the custom of the country intervened to regulate those conditions; and all that the law had to do was to secure that the conditions agreed upon, or established by the custom of the country, should be carried out. But the circumstances of Ireland were exceptional; and he was far from saying that improvements in that respect might not be introduced with advantage provided they were framed with a due regard to the rights of property which never could be ignored in Ireland or in any other country. He believed it might be stated, without fear of contradiction, that Ireland was improving rapidly in prosperity and wealth. It was said that her cattle had increased 50 per cent and her sheep 100 per cent in twenty years, while the entire number of acres under crops had also increased. Her great desideratum was that internal tranquillity and respect for law which would alone allay the distrust felt by owners of capital for investments in Ireland—distrust which banished from her soil much of the enterprize and industry that would enable her to run the race of competition with other nations. The department of agriculture for which she was peculiarly suited was the feeding and rearing of live stock; and in manufactures, which in some districts had been carried on with no little success, her redundant population gave her immense advantages. Whether the suggestion made by a noble Lord, a Member of the other House of Parliament, in one of the very able letters which he had published for the registration of farm improvements could be carried out he (Mr. De Grey) would not venture to express an opinion, but it would no doubt receive the careful attention of the Government. A few weeks ago it was hoped that at the meeting of Parliament Her Majesty would have been able to announce that the cattle plague had ceased in the kingdom, but it still appeared to linger in certain districts, and there had been a recent and serious outbreak in the metropolis. While any cases occurred we could not consider ourselves safe from an extensive recurrence of this formidable disease; and its continued existence in an alarming degree on the Continent, and particularly in Holland, rendered it necessary that we should not relax those precautions which had been so successful in

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checking, if not in entirely suppressing, its ravages. Suggestions had been made to the Government by the Royal and other great agricultural societies which, in combination with the experience obtained during the last year, would, he felt sure, lead to their proposing to Parliament such measures as might be necessary for continuing and improving, according to circumstances, regulations that had conferred such great and acknowledged benefits on the country. Her Majesty also acknowledged with deep thankfulness the abatement of the visitation of cholera, which at one time threatened alarming consequences in this country; but the superior knowledge of the causes of this pestilence obtained by science, and the attention to precautions suggested by that superior knowledge, had checked, and it was to be hoped would continue to preserve us, under the blessing of Providence, from the ravages of this disease. The evils prevailing in the mercantile naval service had specially attracted public criticism, and had been found to require immediate attention. When men were employed upon services to which any unusual amount of risk attached—and a seaman's life must always be a life of danger—every care should be taken that the ordinary comforts of life should be secured to them as far as was practicable, especially when the absence of these comforts conduced to sickness and disease. Such a service could not fail to be unpopular if the common requirements necessary for the preservation of health were not attended to, and our merchant seamen, who constituted one of the hardiest of our working classes, and to whom we look for the best supply of sailors for the Royal Navy, should at least have no cause to envy the condition of those who entered the same profession in the service of other countries. It was satisfactory to learn that the Government were prepared with a measure to improve the laws regulating the care of the sick and other poor in the metropolis, and for the re-distribution of some of the charges of relief therein. The question was one which undoubtedly required immediate attention. Our hospitals and institutions for the care of the sick poor were a glory and an honour to the country, but private charity could only reach a small portion of the misery which must exist among a population estimated at 3,000,000. It was generally admitted that our workhouse system was inadequate to the requirements of such a population, and the public mind had been disturbed by recent revelations of what had been going on in at least a portion of our metropolitan workhouses and their infirmaries. He could not think that Parliament did its duty if it left to private charity that which was, in fact, one of the first duties of the State; but there would be no need to interfere with those noble institutions which were an admirable supplement, but which could never supersede the necessity of a State provision for the care of the poor in sickness. He now came to that paragraph in Her Majesty's Speech which referred to the vexed question of Reform. During the debates which took place in the last Session, it seemed to have been the general opinion of the House that the representation could not be left in the state in which it now was. The principal question was whether it was possible, with safety to the State, to admit a large proportion of the working classes into the constituency. If this could be done without danger to the Constitution, the feeling of most men's minds would incline to their admission. But our whole system was now one of compensation, in which all great interests were represented in certain proportions. These considerations must not be neglected in dealing with the question of the admission of a large body of working men to the franchise, and Parliament must feel satisfaction in hearing that Her Majesty's Government contemplated measures which would not unduly disturb the balance of political power. If the country generally desired Reform, it did not desire revolution. If Parliament was prepared to give to the working classes increased power, it was not prepared step by step to introduce a democracy. But in dealing with this difficult question one thing was certain, that unless all parties were ready to unite to support measures founded upon a careful consideration of all the points involved in the various discussions which had taken place, and the volumes which had been written on the subject, practically speaking, no measure of Reform was ever likely to be carried in this House. Parliament was informed that its attention would be called to this subject; but he would venture to express an opinion that if the Government should have reason to believe that the subject would be approached rather in a party spirit than with a due regard to all the various interests which required to be represented in this great country, they would scarcely be prudent in undertaking the task of revising the Constitution in the face of a hostile and powerful Opposition. The next question to which Her Majesty drew attention was that of trades unions. The law with respect to trades unions, dating from the year 1825, was that no combination of workmen for raising wages should be unlawful so long as no violence, threats, or intimidation be used. This law appeared to be founded on true principles of justice, but it was evaded in practice, and a system was in operation by which workmen were forced to join unions and combinations against their will, and in direct contravention of the law, and outrages had occurred with the object of intimidating both masters and men. On the other hand, there were complaints on the part of the men of combinations among the masters. Of course, the masters could, on no principle of justice, be deprived of a right which they possess only in common with those who might combine against them. The evils that had been engendered by these disputes were not only injurious to both, and interfered most materially with the general industry of the country, but threatened to transfer that manufacturing prosperity which this country had so long and pre-eminently enjoyed to our great rivals on the Continent. Under these circumstances, he felt confident that all classes throughout the country would hear with feelings of satisfaction and gratitude that an inquiry was to be instituted into the organization of trades unions and other similar associations, whether of workmen or employers, with a view of suggesting a practical remedy for that which was, or might speedily become, a national calamity. There were other measures of internal improvement promised by Her Majesty's Government, but to these he would not more particularly refer, as he felt that he had already too long trespassed upon the attention of the House. He feared that many of the subjects to which he had alluded he had touched upon somewhat superficially; but the multiplicity of subjects and his own inexperience might, perhaps, be considered a sufficient excuse. It was to be hoped that the Session would not be occupied, like the last, by fruitless and unprofitable discussions, but that the measures of improvement proposed by the Government would be allowed to be submitted to the careful and candid consideration of the House, and the fact that Her Majesty's Government had brought forward so large a programme inclined him to think that such, at least, was their expectation; at all events, it was a proof that they had not been idle during the recess. It will be for Parliament to take these measures into consideration, and give effect to such of them as it might approve. He had now only to thank the House for the kind patience with which they had heard him. The hon. Gentleman concluded by moving—

"That an humble Address be presented to Her Majesty, to convey the thanks of this House for Her Majesty's Most Gracious Speech from the Throne:

"Humbly to assure Her Majesty that we rejoice to learn that Her Majesty's relations with Foreign Powers are on a friendly and satisfactory footing, and that we join with Her Majesty in the hope that the termination of the War in which Prussia, Austria, and Italy have been engaged may tend to the establishment of durable Peace in Europe:

"To assure Her Majesty that we learn with satisfaction that Her Majesty has suggested to the Government of the United States a mode by which the questions pending between the two Countries, arising out of the late Civil War, may receive an amicable solution, and which, if met, as Her Majesty trusts it will be, in a corresponding spirit, will remove all grounds of possible misunderstanding, and promote relations of cordial friendship:

"Humbly to express to Her Majesty our participation in Her regret that the War between Spain and the Republics of Chili and Peru still continues, and that the good offices of Her Majesty's Government, in conjunction with that of the Emperor of the French, should have failed to effect a reconciliation; and to assure Her Majesty that it will be a cause of satisfaction to us if, either by agreement between the parties themselves, or by the mediation of any other Friendly Power, Peace should be restored:

"To thank Her Majesty for informing us that discontent, prevailing in some Provinces of the Turkish Empire, has broken out in actual insurrection in Crete; and that, in common with Her Majesty's Allies, the Emperor of the French and the Emperor of Russia, Her Majesty has abstained from any active interference in those internal disturbances; but that the efforts of Her Majesty and Her Allies have been directed to bringing about such improved relations between the Porte and its Christian Subjects as are not inconsistent with the Sovereign Rights of the Sultan:

"To thank Her Majesty for informing us that the protracted negotiations, which arose out of the acceptance by Prince Charles of Hohenzollern of the Government of the Danubian Principalities, have been happily terminated by an arrangement to which the Porte has given its ready adhesion, and which has been sanctioned by the concurrence of all the Powers, signataries of the Treaty of 1856:

"Humbly to convey our thanks to Her Majesty for informing us that Resolutions in favour of a more intimate Union of the Provinces of Canada, Nova Scotia, and New Brunswick have been passed by their several Legislatures, and that Delegates, duly authorised, and representing all classes of Colonial party and opinion, have concurred in the conditions upon which such an Union may be best effected; and to assure Her Majesty that we will give our most careful attention to the Bill which, in accordance with the wishes of those Colonies, Her Majesty has directed to be submitted to us, and which, by the consolidation of Colonial interests and resources, will, we trust, give strength to the several Provinces as members of the same Empire, and animated by feelings of loyalty to the same Sovereign:

"To assure Her Majesty that we have heard with deep sorrow that the calamity of Famine has pressed heavily on Her Majesty's Subjects in some parts of India; and to thank Her Majesty for informing us that instructions were issued to Her Majesty's Government in that Country to make the utmost exertions to mitigate the distress which prevailed during the autumn of last year, and that the blessing of an abundant harvest has since that time materially improved the condition of the suffering districts:

"Humbly to assure Her Majesty that we have observed with deep concern that the persevering efforts and unscrupulous assertions of treasonable Conspirators abroad have during the last autumn excited the hopes of some disaffected persons in Ireland, and the apprehensions of the loyal population; but that we learn with the greatest satisfaction that the firm, yet temperate, exercise of the powers entrusted to the Executive, and the hostility manifested against the Conspiracy by men of all classes and creeds, have greatly tended to restore public confidence, and rendered hopeless any attempt to disturb the general tranquillity; and that, with Her Majesty, we trust that we may consequently be enabled to dispense with the continuance of any exceptional Legislation for that part of Her Majesty's Dominions:

"To assure Her Majesty that, with Her, we join in acknowledging, with deep gratitude to Almighty God, the great decrease which has taken place in the Cholera, and in the Pestilence which has attacked our Cattle; and that we regret that the continued prevalence of the latter in some Foreign Countries, and its occasional re-appearance in this, will still render necessary some special measures of precaution; but that we trust that the visitation of the former will lead to increased attention to those sanitary measures which experience has shown to be its best preventive:

"To thank Her Majesty for informing us that, estimating as of the highest importance an adequate supply of pure and wholesome Water, Her Majesty has directed the issue of a Commission to inquire into the best means of permanently securing such a supply for the Metropolis, and for the principal towns in densely peopled districts of the Kingdom:

"Humbly to thank Her Majesty for having directed that the Estimates of the ensuing year shall be laid before us, and for having caused them to be prepared with a due regard to economy, and to the maintenance of efficiency in the Public Service; and to assure Her Majesty that we will cheerfully consider any proposal for a moderate Expenditure, calculated to improve the condition of Her Majesty's Soldiers, and to lay the foundation of an efficient Army of Reserve:

"To thank Her Majesty for informing us that our attention will again be called to the state of the Representation of the People in Parliament; and, with Her Majesty, humbly to express our hope that our deliberations, conducted in a spirit of moderation and mutual forbearance, may lead to the adoption of measures which, without unduly disturbing the balance of Political Power, shall freely extend the Elective Franchise:

"Humbly to express our thanks to Her Majesty for informing us that the frequent occurrence of disagreements between Employers of Labour and their Workmen, causing much private suffering and public loss, and occasionally leading, as is alleged, to acts of outrage and violence, has induced Her Majesty to issue a Commission to inquire into and report upon the organisation of Trades Unions and other Associations, whether of Workmen or Employers, with power to suggest any improvement of the Law for their mutual benefit; and to assure Her Majesty that any application which shall be made to us for Parliamentary Powers, necessary to make this inquiry effective, shall receive our earnest attention:

"To convey to Her Majesty our humble thanks for informing us that Bills will be laid before us for the extension of the beneficial provisions of the Factory Acts to other trades, specially reported on by the Royal Commission on the Employment of Children; and for the better regulation, according to the principle of those Acts, of workshops where women and children are largely employed:

"To thank Her Majesty for informing us that the condition of the Mercantile Marine has attracted the serious attention of Her Majesty, and that measures will be submitted to us with a view to increase the efficiency of that important Service:

"Humbly to express to Her Majesty the satisfaction with which we have learnt that relaxations have been lately introduced into the Navigation Laws of France; that Her Majesty has expressed to the Emperor of the French Her readiness to submit to Parliament a proposal for the extinction, on equitable terms, of the exemptions from local charges on Shipping which are still enjoyed by a limited number of individuals in British Ports; and that His Imperial Majesty has, in anticipation of this step, already admitted British Ships to the advantage of the new Law; and to assure Her Majesty that we will give our careful attention to the Bill upon this subject which Her Majesty has directed to be forthwith laid before us:

"Humbly to assure Her Majesty that we will give our most serious consideration to the Bill which will be submitted to us for making better provision for the arrangement of the affairs of Railway Companies which are unable to meet their engagements; as also to any measures for improving the management of Sick and other Poor in the Metropolis, and for a re-distribution of some of the charges for relief therein:

"To assure Her Majesty that we will give our most careful attention to the measures for the Amendment of the Law of Bankruptcy, and the Consolidation of the Courts of Probate and Divorce and Admiralty; also to the means of disposing, with greater despatch and frequency, of the increasing business in the Superior Courts of Common Law, and at the Assizes:

"Humbly to thank Her Majesty for informing us that the relations between Landlord and Tenant in Ireland have engaged the anxious attention of Her Majesty; and that a Bill will be laid before us which, without interfering with the rights of property, will offer direct encouragement to Occupiers of Land to improve their holdings, and provide a simple mode of obtaining compensation for permanent improvements:

"Humbly to assure Her Majesty that, with Her, we pray that our labours may, under the blessing of Providence, conduce to the prosperity of the Country, and the happiness of Her People."

MR. GRAVES: Mr. Speaker—I have so invariably experienced the indulgence of the House when, on previous occasions, I have ventured to address it, during the short time I have had the honour to be a Member, that I feel I should be doubting that experience if I sought on this occasion to enlist its sympathy by any formal appeal to its forbearance. In undertaking the onerous task of seconding the Address in reply to Her Majesty's most gracious Speech from the Throne, no one can have felt more conscious than I did myself how little personal consideration influenced the selection. But sharing in the representation of a constituency possessing no small commercial distinction, I hope it may be thought that I am warranted in accepting the task. Rarely has a Speech been delivered from the Throne which has been looked forward to with more intense interest than that which it had been our good fortune to listen to to-day, and I have the highest hopes that it will not only be satisfactory to the House, but that it will prove acceptable to the country at large. The Speech from the Throne embraces measures of the highest usefulness, aiming largely at the amelioration of the poorer classes of society, and involving questions of the highest moment. It will, I have no doubt, commend itself to the anxious consideration of the House. The felicitous expressions in which the hon. Mover has conveyed his pleasure at Her Majesty's presence to-day will be shared in by every Member of this House, and will excite throughout the country feelings of the greatest satisfaction.

In the few remarks with which I intend to trouble the House, I must necessarily travel over some of the ground that has been touched upon by the hon. Member for West Norfolk; but I shall endeavour to confine myself more particularly to those points which may be considered to possess more than ordinary interest at the present moment. I think I am justified in giving the preeminence among the questions connected with our foreign policy to that of the differences which have arisen between us and the United States—differences arising out of intricate questions of International Law, and which have been made during the past year the subject of a very able diplomatic correspondence. Claims and counter-claims have been advanced in the full consciousness of mutual right; and it will be a matter of the greatest satisfaction if a mode can be suggested by which these claims can be amicably and fairly settled. I believe that when they were originally put forward, the moment was inopportune — that concession might then have been construed into fear on the one hand, or to threats on the other. But now, happily, a better feeling exists. There is a mutual desire to do each other justice. England, above all other nations, is deeply interested in the maintenance of stringent Neutrality Laws; and if it should appear ours are too lax, or are overweighted with legal proof, and that compensation may have to be made, I, for one, will rejoice if that decision should lead to the establishment of clearer views of the duties of neutrals, and also to the adoption of a more intelligible and more stringent Code of International Law for the government of all maritime Powers.

I am sure that this House will share in the regret expressed by Her Majesty that our mediation, in conjunction with that of her ally the Emperor of the French, has not been successful in bringing to a termination the disputes which have arisen between Spain and the Republics of South America. Those Republics should remember how unmistakably the sympathy of Europe was extended towards them at the commencement of those differences; and, remembering this, they should lend a favourable ear to any proposals for a friendly mediation which would be likely to bring these disputes to a settlement. There can be no doubt the longer this settlement is delayed the greater will be the injury to those young and prosperous countries; and therefore I hope that the friendly mediation referred to in Her Majesty's Speech—and by which I presume to be understood the good offices of the President of the United States—will be successful, and that a lasting peace may arise, alike satisfactory to the interests and honour of all parties.

From our foreign policy I turn to our domestic affairs, and I am sure that I shall be pardoned if I at once take up the question which engrosses at this moment men's minds, and to which our attention has been specially directed by Her Majesty to-day — I mean Parliamentary Reform. Happily for us we have advanced at that stage when argument becomes no longer necessary to justify the extension of the franchise. It is an admitted necessity by all parties in the State, and the only point that remains to be settled is the means by which a wise, just, and satisfactory settlement of the question can be arrived at. What the mode may be which the Government intend to propose for carrying this object into effect—whether it includes a Re-distribution of Seats Bill—whether it will grapple with the corruption which has been so ruthlessly brought to light in the last few months, and which I consider to be a serious blot upon our electional system, and a stain on the character of this House—whether it will deal with these questions or not, I have no means of knowing. But I am convinced of this—that the measure will not be framed in any narrow spirit; nor do I believe that it will be submitted to the House in any but the most earnest and honest desire to merit the approval, not only of this House, but of the country at large. The history of Reform justifies the remark which my hon. Friend has made to-night —that it should not be made a party question. So far I do not think that it has made any very great advance under party protection; and speaking for myself, without any inspiration, I think it should be taken out of the category of party questions, that the House should take it under its own protection, and deal with it in the firm determination to settle it on a basis of concession and compromise. I may be wrong in this view, but it is one that I hold strongly, and I throw it out, for what it is worth, for the consideration of the House. Scarcely less important than Parliamentary Reform is the connection between capital and labour—the breach seems rather to be widening than narrowing—and I think Her Majesty's Government has done wisely in deciding that an inquiry shall take place by Commission into this difficult and delicate question; for if the result of the inquiry should be to draw closer the links between the employer and the employed, it will be a subject for much congratulation. I do not know whether it is intended that the inquiry shall embrace the question of the extent to which we are suffering from the effects of foreign competition in branches of industry that have been hitherto considered as England's specialities; but I think it very desirable that this should be done, and that all parties in this country should be shown, on the most unquestionable evidence, the causes which are at work, and what have been the results of their operation.

It is also, I perceive, in contemplation to issue a Royal Commission to inquire into the quantity and quality of the water supplied to the metropolis and other large towns in England. The experience of the last twelve months has taught us how largely the public health is affected by the water supply; and no one can question the desirableness of having this very important subject investigated in all its bearings by a Royal Commission, instead of by local and partial inquiries. Living as I do in the centre of one of the most densely-populated districts in the country, I well know the interest with which this question is watched by the people, and the satisfaction with which the announcement of a Commission will be received by all who dwell in large towns. A measure will be submitted to us for enabling insolvent railway companies to make arrangements for settling their affairs. I have no doubt that in that measure due protection will be given to the public rights. It appears that there is no machinery existing at the present moment for meeting such a state of things; and it therefore becomes necessary to take legislative measures for remedying the inconvenience thence arising. We cannot be surprised, knowing the deep interest taken by Her Majesty in the Mercantile Marine, that Her Majesty has been pleased to call our attention to it. Much has, indeed, been done at various times for this branch of our industry. It has been relieved of many burdens and restrictions — but some still remain. There are anomalies, and restrictions, and exceptional burdens still pressing upon it. I think it has been wisely decided by the Government to deal with them; and I hope that, at the same time, the various Acts connected with the Mercantile Marine of the country may come under revision, and that the 600 sections may be consolidated and rendered more intelligible than they now are to owners, masters, and seamen. The allusion to our seamen is no less important. There are evils at work that require treatment. Some of them may, perhaps, be beyond legislative cure; but I am perfectly satisfied that much in the way of remedy may be effected by wise and prudent legislation. It is possible, no doubt, to have too much legislation; and it becomes a grave question whether we have not had too much for our seamen, for the result has been to keep the owners of ships and their seamen further apart from each other instead of bringing them into closer union. Nothing can be worse than the discipline pointed at in the Speech, involving the shipping interest not only in serious losses and intolerable vexation, but inflicting on the country a large annual expenditure for bringing home deserters under the guise of distressed seamen. It is an increasing charge, for within the last two years it has increased from £25,000 to £30,000 for the mere food of these men—whilst to our shipowners it is a serious and intolerable vexation, in being compelled to provide passages for them. The seamen of the Mercantile Marine must be placed on a better system — a better system of recruiting must be introduced—we must have training ships established—the comfort and health of the seaman must be more carefully looked after—shipowners themselves must become more conscious of their responsibilities, and the commanders must take a greater interest in the welfare and comfort of their men. Then, and not till then, are we likely to see that permanent improvement in the Mercantile Marine which will enable us to look upon it as we have always done, as the boast of this country. The relaxation of the Navigation Laws—thanks to the enlightened policy of the Emperor of the French—is one which may be regarded with great satisfaction. From the 1st of January the tonnage duties collected from ships have ceased to be collected in the French ports, except in the instance of the ships of nations which have refused to grant in return similar privileges to French ships. Anticipating the desire that this country would only be too glad to assist in shaking off the remaining fetters from commerce, France has, without asking, placed the shipping of this country upon the most favourable footing; and a measure will be submitted to the House for ratifying that understanding, and I have no doubt that the removal of the few exceptional restrictions will be based on terms as equitable in their nature as the proposal itself is justifiable upon public policy. The question of Law Reform is one of the very greatest interest. There is no doubt whatever that the judicial force and the machinery of our Law Courts has not kept pace with the progress of the country or the wants of trade. I am glad that the evils arising from the loss of temper, the loss of time, and the loss of money, attendant on the present system are likely to be removed. As to the advantage of the consolidation of the Divorce Court and the Admiralty Court, I am not very competent to speak; but I venture to hope that when the measure is brought before the House for dealing with the Admiralty Court, it will not be forgotten that there is a great necessity for reforming the Court of Admiralty itself, for making more summary its proceedings, and for extending its jurisdiction to classes of maritime commerce not now embraced, and which at present, owing to the expense and trouble involved in Admiralty proceedings, are either confided to arbitration or are never dealt with at all. I trust also that the advantages of a reconstituted Admiralty Court will not be confined to the metropolis; but that the great maritime ports of England, which furnish so large a share to the business of that Court, will have its advantages brought to their own doors by the establishment of Vice Admiralty Courts. As to the amendment of our Bankruptcy Laws, I cannot for a moment doubt the propriety. They are generally condemned—they are found inadequate to the proper protection of the trader—they are cumbrous—and they are expensive. I hope that in dealing with these laws some provision will be made to check the commercial immorality which has shown itself so widely within the last twelve months in the disgraceful failures which have taken place. It is true there are palliating circumstances for many of these failures in the terrible crisis which swept over the country last year.

Judging by the tests which are usually applied by this House as to whether any year has been a successful one or otherwise, the past year would rank as an eminently prosperous one, for our imports and exports have increased to a very large extent. Our imports, taken for nine months of the financial year last made up, compared with the same months in the preceding year, show an excess of £42,000,000, and our exports show an excess of £23,000,000. It is not improbable that the Chancellor of the Exchequer may, by-and-bye, be able to announce to the House that the revenue has been equally elastic, and has more than answered his expectations. But the popular estimate of last year is very different, and is much more likely to be true than any conclusions based upon the figures I have just given. A crisis of unparalleled severity, causing a wide-spread derangement of credit, involved every branch of our National industry in most serious losses. These panics appear to be periodical in their character and uniform in their visitations; and I think it is well worthy of consideration whether some effort may not be made to ascertain their causes. Believing that excessive credit and abuse of the principle of limited liability had much to do with the crisis of last year, it was with sincere pleasure that I heard the hon. Member for Stockport (Mr. Watkin) give notice of his intention to bring before the House the results of the limited liability system. The shock which it has received will do much to disarm the power for evil of that system for the future; but I think, while the cause and the effects are fresh upon our minds, we should be wise in reviewing the provisions of the Act, and preventing such mischiefs from occurring in future. The manufacturing interest has happily suffered less than the commercial; but the exorbitant rate which money maintained for a large portion of the current year, must have largely paralysed the manufacturing energy of this country. These fluctuations in the value of money, occurring so frequently as they do, are exceedingly embarrassing to trade; and I hope that Parliament, in its wisdom, may be able to devise some means for, if not preventing, at least regulating these fluctuations. With the third great branch of our industrial economy—agriculture—I am not so conversant; but I cannot help expressing my earnest sympathy with that interest, for the twofold calamity which has fallen upon it—the cattle plague and the indifferent harvest. These may be regarded as natural visitations; but they go to swell the disasters of the past year, and to make the amendment of the Bankruptcy Law the more necessary. With regard to Ireland, I will now refer specially to the measures for the amelioration of that country which are alluded to in the Speech from the Throne. I hope that these are but the harbingers of a new policy—a policy founded upon a just appreciation of the distinctions of race. I venture to think that the statesmen who seek to make that country contented and happy must do so rather by the application of legislation suited to the character and condition of the country than by the application of any uniform system of law. Holding these opinions, I rejoice that a measure will be introduced for the settlement of the long-vexed question of land tenure in Ireland. Public policy demands that that fertile land should be made as fruitful as possible, and that the occupiers of the soil should be encouraged and should have secured to them the fruits of the capital and the skill which they invest in the improvement of the land. I know that on this subject there exists the most varied opinions; but I have known Ireland long, and I have a right to express my opinion on the subject, for I consider under the existing laws, that encouragement and that security do not exist. Mercifully freed as that country has been from the ravages of the cattle plague and the commercial disasters so heavily felt in this country, Ireland has been making in material wealth at least a steady progress. She has added £2,500,000 to the value of her live stock within the last official year, and the deposits in her savings banks, which in the year 1840 amounted to £5,500,000, in 1860 reached £15,000,000, and in 1865 amounted to £17,500,000; thus showing that there is capital in the country for the improvement of land, and that there is not that absence of thrift in the national character which is so frequently alleged. One question I must allude to as having a deep bearing on the prosperity of that country—I mean the question of railways. At present there is a total want of system with respect to them, and they are so disconnected that I believe the resources of that country will never be developed until the railways are placed on a better footing. The fares ought to be lower, and greater facilities ought to be given to make the masses of the population customers of the railways. At present they are looked upon as a luxury rather than a necessity. In order to effect improvements, State interference may possibly be required; but I believe the increase of traffic would in time reimburse the State for any obligations it might incur with regard to them. If a precedent is wanted I might point to India, and I think before long we may be able to point to one nearer home, for I am convinced that the necessity of taking over the telegraph system will force itself on the attention of the Government, and under the able management of the Post Office would increase its usefulness to an extent now little dreamt of, besides adding largely to our National revenues. The progress of the country has been greatly retarded by the discontent which has existed for the last few years under the name of Fenianism, and which has spread a blighting influence over the whole island; but the announcement made to-day in the Speech from the Throne points to a happier state of things, and leads us to believe that reason and common sense are resuming their sway, and that the spirit of discontent is yielding to a spirit of hope and loyalty. The wise and conciliatory government of the distinguished nobleman who is at present Her Majesty's Viceroy in Ireland (the Marquess of Abercorn) has largely contributed to this result —a compliment equally deserved by the nobleman who preceded him (the Earl of Kimberley). I accept, as marking a new era, the measures announced by the Government. I look upon them as a harbinger of peace, and as a proof that the spirit of Fenianism is drawing towards an end. It is not unnatural that I should turn from Ireland to our North American Provinces, where, if there had been any good ground for its reception, Fenianism might have been expected to find a home. But the miserable attempts made there to introduce it only tested the loyalty of the colonists, and proved how strong was the tie which binds the colonies to the mother country. In order to appreciate the advantages of consolidation it is perhaps necessary to visit them, and to become conversant, as I have become, with their almost inexhaustible resources, and the steady energy of the people. Covering 400,000 square miles, embracing near 4,000,000 of people, bound together by a community of interests and devotedly attached to the institutions of this country and to the Throne and person of the Queen, it would be difficult to speculate as to the results which may grow out of the union of these fine Provinces. I have heard it said that there is danger to Imperial interests in this measure, and that national aspirations may arise. I have no such fear. I believe the connection between the North American Provinces and the mother country rests on more enduring foundations, and that they will be more than ever an important element in our national resources. Knowing as I do the difficulties which must have beset the negotiations for such a consolidation—the jealousies and rivalries which must have arisen, and the personal sacrifices which must have been made—I should not be doing justice to the delegates from the Provinces if I did not say they are entitled to the highest credit for the manner in which they have fulfilled their delicate but most important duties.

I have now to thank the House for the indulgence which has been shown to me, and to express a hope that the measures alluded to in the Speech—measures of vast importance to the country—may be dealt with by the House in a spirit of forbearance, wisdom, and conciliation. And my highest wish is that at the end of the Session we may be permitted to look back with satisfaction and to feel that among the measures we have passed is one for widening the bases of our institutions, and that by our legislation we have contributed to the happiness and well-being of the people of this country. The hon. Gentleman concluded by seconding the Motion.

Motion made, and Question proposed, "That," &c. [*See Page* 54.]

MR. GLADSTONE: I rise, Mr. Speaker, for the purpose of supporting the Address which has been moved and seconded from the opposite Benches. I heartily approve that well-established rule which on all occasions discourages the needless importation of subjects of difference into the debate on the Address to the Crown in answer to the Royal Speech; and I confess that on this occasion, independently of much other matter which the Address contains, and which we should wish to see brought out in discussion with the most favourable auspices, there are three announcements which of themselves would suffice, I think, to make any candid and well-judging man reluctant to see dissension introduced into this debate. I mean the announcement of a measure for the union of the North American Provinces; the announcement of a measure on that most important subject, the state of the relations between landlord and tenant in Ireland—and, I must add, in terms in which I do not think the most fastidious among us can find anything to object to; and thirdly, the announcement, not less gratifying than either of the others, but even more gratifying, that in the judgment of Her Majesty's Government the time has arrived when the existence of exceptional, and in one sense arbitrary, power in Ireland may reach its termination. I not only, therefore, am unprepared to move any Amendment on the Address myself, but if there were any Gentleman who entertained a different disposition, and to whom I might without impropriety offer a recommendation, I would earnestly beseech him to forbear from executing such an intention. Passing, however, to the subjects — the numerous and important subjects — touched upon in the Speech from the Throne, I am anxious to offer some remarks on some paragraphs which the Speech contains. And first, I will dwell for a moment on that very momentous question, the Correspondence between the Government of the United Kingdom and the Government of the United States of America, in reference to questions pending between the two countries, which questions have arisen out of the late Civil War. And I wish to convey an assurance to the noble Lord the Secretary of State for Foreign Affairs, on the part of all with whom I have had an opportunity of communicating, that whatever he may have done or whatever he may propose to do on the subject will be judged, not in the narrow spirit of exacting from him, or endeavouring to exact from him, a precise conformity to the steps we ourselves have taken, but that as long as his measures and his policy may in our view be consistent with the honour and conducive to the interests of the country, everything which may proceed from him and his Colleagues will receive at our hands a most favourable consideration. Then I go on to the paragraph in the Speech relating to the insurrection which has distracted—I know not to what extent it still distracts—the important island of Candia. I miss from the Royal Speech an intimation which it is very common to convey—that upon certain subjects, and especially subjects of foreign policy, which have reached a certain degree of maturity, it is the intention of Her Majesty's Government to submit papers to the House. Indeed, I observe that an hon. Friend of mine (Mr. Gregory) has already given notice of his desire to obtain information in that shape, and I feel myself justified in expressing a hope that Her Majesty's Government will be prepared to lay before us such information on the subject as they possess—for this question is one which, although of foreign concern, yet cannot be regarded as very remote from our interests; nay, more, it cannot be regarded as a question in which we are altogether without rights. We know not at present from any authentic source the cause of this insurrection: we know, however, the deplorable calamities with which it has been attended, and the desperate resolution with which, against enormous odds, the battle has been fought. Now, what I am desirous to know—and I hope that the papers when presented by Her Majesty's Government will prove what I am desirous to know—is that the Government of the Sultan is not responsible for this insurrection, but that it had, before the commencement of the outbreak, given faithful and full execution to that important instrument—the hatti-scheriff—issued at the close of the Crimean war for the purpose of securing to the Christian subjects of the Porte at least the civil equality to which they were justly entitled, and which had been too long withheld. This is a question not only of the utmost gravity in itself, but one of justice in its connection with the general interests of humanity rather than with any special British interests in a more narrow sense; and it is likewise of the utmost importance with reference to the future peace of Europe. I congratulate Her Majesty's Government most cordially that the time has arrived when they are able to promise us—forming their judgment on the circumstances of the moment—that they will not, under these circumstances, apply for an extension of the exceptional powers of the Government in Ireland; and I join with them in rejoicing that the spirit which has been displayed by the community itself in aid of the Government has proved to be so potent an ally in averting the evil which at one time we had been led to apprehend — a phenomenon new in the history of Ireland—a phenomenon which, I trust, will lead to much reflection upon its causes, and which, after that reflection, will prove a powerful encouragement to us to prosecute the policy of liberality and of justice towards Ireland, of which, in part, we have already witnessed the happy effect. Her Majesty's Government refer to a subject of great interest in connection with the condition of the army, and with the foundation of an efficient army of reserve. If I caught correctly the words of the Address, the promise which it is proposed to make to Her Majesty's Government in return is that we will cheerfully consider any demand which may be made for our assent to a moderate increase of expenditure. Now, I must confess that, if I were a captious critic, I should a little doubt whether cheerfulness of consideration is exactly that form of consideration which representatives of the people should give to proposals for an increase of expenditure. A careful and a ready consideration I have no doubt that subject will have, and I trust a fair and even a liberal consideration. Most certainly I express my confidence that, while we shall expect the Government to show that expenses which are perhaps necessary in one direction can be compensated by savings in another, the Government will receive the cordial support of this House in every well-conceived and every effectual measure for the attainment of that most desirable object, the foundation of a good system of army reserve. The Speech also touches upon a subject as delicate as it is important in the reference it makes to an inquiry that is about to be instituted into the disagreements between employers of labour and their workmen, and into the means by which that inquiry is to be prosecuted. I think there have been exaggerated statements made on this subject, which may to a certain extent have acted on the public mind. Such statements tend to propagate the idea either that differences between employers and workmen are now of a more aggravated character than in former times, or that the effect of these differences is to menace the commercial and trading position of this country. If there be those who really entertain that apprehension, let them pay attention to a single sentence in the speech of the Seconder of the Address, which acquainted us that the joint increase in the exports and imports from and to this country for nine months of the last year, as compared with nine months of the year preceding, amounted to £65,000,000. But that is no reason why the attention of Parliament should not in every useful manner be given to a subject which is of the utmost importance, and a matter in which undoubtedly there are yet serious difficulties and serious evils to be remedied. What I hope is that the interposition of Government in this matter will be an amicable interposition; and in particular, that when my right hon. Friend the Secretary of State for the Home Department frames his Bill for obtaining from Parliament powers to make the inquiry effective he will bear in mind—as I am sure he will—the full and absolute right of all individuals, employers and workmen alike, to bring to market the commodity they have to dispose of, whether it be labour or capital, on the best terms in their power, as long as, and only as long as, they exercise their own rights without prejudice to the rights of others. There is but one other subject on which I have to detain the House for a few moments, and it is the subject to which—as has been rightly said by the hon. Gentleman the Member for Liverpool (Mr. Graves)—there attaches at the present time an all-absorbing interest—I mean the question of the representation of the people. But I will here first offer a comment upon that which many of us had anxiously expected to see alluded to, but which, probably for some good and sufficient cause, does not appear in the Speech. I presume that is probably owing to the circumstance that the recent inquiries into corrupt practices in certain boroughs are not yet so absolutely completed as to have enabled the Government to advise the Crown to refer to this subject. At all events, nothing was said in regard to it. I am sure it is one which, from its importance, well deserves notice. If the question of Parliamentary Reform be difficult, at least it ought not to be difficult to deal with certain of its branches, such as cases of proved corruption. I beg to say that this evil, which has grown, perhaps, not more intense—I hope, on the contrary, less intense—but which has grown far more patent, and therefore more scandalous, of late years, has now become a matter not merely of domestic policy and expediency, but I will even venture to say of national honour. As long as we were in something like exclusive possession of a representative system, little notice was taken of these offences in foreign lands; but we have lived into a period in which almost every country possesses, in more or less perfect forms, representative institutions, and in which some countries enjoy them in high efficiency. Since that has been the case, it appears to me that Europe has conceived what I might almost call a sentiment of disgust at finding that evils of which those countries are scarcely conscious have become so rife and so virulent among ourselves. I hope it will be understood that I assume there is a cause for silence in Her Majesty's Speech on this subject; but I must express the hope that when Her Majesty's Government take into their consideration some of the Reports—I will not now presume to decide which they may be—in which it shall appear, on judicial authority, that constituencies are tainted, as they have been in some former and well-remembered instances, they will not ask us to inflict the almost nominal and wholly unsatisfactory punishments which have bounded our action on former occasions, but will give evidence to the world, by something in the nature of strictness and severity, that we are in earnest on this particular question. As regards the paragraph in the Speech of Her Majesty, it is obviously open to the remark that its language is in some degree enigmatical; but I do not think it will be fair to make that circumstance a subject of complaint. On the contrary, I think Her Majesty's Government are perfectly justified in reserving that full explanation of their intentions to a future day which, if it had been attempted to-day, in a form necessarily imperfect, would probably have tended to prejudice the settlement of the question. Therefore, in assenting to the paragraph as it stands, I do so upon the double ground that there is nothing in its language which can give rise to a just reflection; and, important as is every matter connected with this subject, both as to substance and as to procedure, under present circumstances, I, for myself, and others, if they are so minded, retain the most perfect liberty to canvass, both as to substance and as to procedure, the measures and the steps to be taken by Her Majesty's Government, when in the proper time we become fully acquainted with them. I think there are three points in which may be summed up, in a great degree, our interest in the consideration and management of this matter. There is the question by whom the measure of Parliamentary Reform is to be submitted to Parliament; there is the question what is to be the substance and effect of such a measure; and lastly, there is the question when such a measure is to be brought under our notice, and when it is to reach its completion. As regards the first of those questions—by whom the measure is to be submitted—I humbly represent to the House that at this moment the interest of the country in the speedy settlement of the question is all-important; and, if there be any of us who are less sanguine than hon. Gentlemen opposite as to the possible proceedings of Her Majesty's Government, that is no reason for endeavouring to cast impediments in their course. It is our duty to accept, wherever we can get it, a measure which will be adequate to meet the just expectations of the country; and if we intend to be willing parties to the introduction of such a measure by Her Majesty's Government, we ought not by anything we may now say or do to cast even the smallest difficulty in the way of that introduction. Sir, as respects the substance of the measure, I do not think the present occasion a proper one to discuss it; but as respects the time of the measure, I must again say, it appears to me that even the question of the substance is hardly more important. It is not necessary now to retrace the wearisome and irksome details of this protracted controversy, or to remind the House how many Sessions, how many Queen's Speeches, how many Parliaments have been involved. One thing only we can say, and that is, it is impossible for legislation to proceed in its orderly and accustomed course until this matter is disposed of—until this matter is disposed of it stops the way; it disturbs and impedes, and it not only disturbs and impedes, but it embitters every attempt to deal with other questions of difficulty. The vast and varied interests of this country, growing apparently more vast and more varied every day, and, in proportion as we reap the harvest of legislation with assiduity, causing new and thicker crops to spring afresh from the ground soliciting our attention, render it our duty to see and require that the measures adopted—so far as we can require from others—shall be directed towards the attainment, not only of an effectual, but also of a speedy settlement of this question. I therefore ask myself how I am to interpret the paragraph in which this subject has been brought under our notice, and I cannot doubt as to the manner in which I am justified in construing it. I will not ask for explanations; I will not make any remark which would have a tendency to force the Government to offer explanation for the purpose of avoiding misapprehension; but what I understand by this paragraph is this:—Her Majesty's Government, like ourselves, like the generality of the House, including their own followers and the whole country without distinction of party, are sensible of the necessity of dealing promptly with this matter, and that, upon the earliest day which they can choose for the purpose, they will be prepared to propose, on their own responsibility, such measures as they shall think will be most effectual for the attainment, the effective attainment, and, above all, the speedy attainment of their object and the just satisfaction of the wishes of the country. I hope there is nothing unreasonable in that expectation. If that expectation be a just one, we ought to rest perfectly satisfied, cherishing the hope that the time is at hand when we may be able to remove from ourselves and out of the way this obstacle, and to remove from ourselves what threatens to become, if we do not remove it, a standing discredit to Parliament and the institutions of the land, and to give to all the other vast and diversified interests of the country that attention which they so imperatively solicit at our hands.

The CHANCELLOR of the EXCHEQUER: I heard, Sir, with great satisfaction from the right hon. Gentleman opposite (Mr. Gladstone) that there was no prospect of an Amendment to the Address being proposed to-night. After so long a separation it really is far from agreeable that on the first night we meet together we should resume our struggles; and in the months that are before us many opportunities will arise to compensate hon. Gentlemen for the self-restraint which they exercise now. There are one or two points to which the right hon. Gentleman has referred which I will notice before I touch on his last more interesting inquiry. The right hon. Gentleman has done justice to the contents of Her Majesty's most gracious Speech, and I think I may congratulate my Colleagues upon its reception by the House generally, though I am sure we owe it in some degree to the able interpretation which has been put upon it by my hon. Friends who moved and seconded the Address, the first with a pleasing propriety I am sure all must acknowledge, the Seconder with a weight of authority derived from his position and his acquaintance with commercial pursuits. In answer to the question which has been put by the right hon. Gentleman with reference to the disturbances in Crete, I may say that papers will certainly be presented on the subject. I believe my noble Friend (Lord Stanley) had a reason which for a short time may influence him in not immediately presenting them to the House;

but when that reason ceases to operate, my noble Friend will take the earliest opportunity of laying them on the table of the House. The right hon. Gentleman (Mr. Gladstone) also referred to the circumstance that no allusion was made in the Queen's Speech to the inquiries into proceedings in certain boroughs. The reason why we made no reference to these inquiries was that the reports of them have not been received by the Government. [An hon. MEMBER: Not all.] Some have; but the right hon. Gentleman will feel that it would be convenient and proper to have them all in our possession before we make any announcement on the subject. The right hon. Gentleman then, in a tone of which I am sure I have no cause to complain, referred to the paragraph in the Speech announcing that the attention of Parliament will be called to the state of the representation of the people; and I think the right hon. Gentleman, remembering, I have no doubt, his experience in the position which I now have the honour to occupy, felt how very inconvenient it would be if, on the first day of the Session, a number of inquiries were made the answers to which might only lead to misapprehension, and which would really not be fair to those who are responsible for the consequences. I will not trouble the right hon. Gentleman and the House at any length upon the subject, because, with the permission of the House, I mean to take, not only an early, but the earliest day at our command in order to bring the whole subject before the House. [An hon. MEMBER: What day?] Monday next. That is the first day at our disposal, and I then propose to state the course which the Government mean to take upon this subject, and generally to enter into the matter. I trust, therefore, that under these circumstances we may not be pressed to make any statements to-night, but that we may be allowed to reserve our views and state them fully on that occasion. The right hon. Gentleman has done justice to the important subjects which have been brought under the notice of the House in the Speech from the Throne. I am aware, as all must be aware, that it will require on the part of the House considerable effort to do justice to the several themes which will be brought before them. But re-action is the law of life, and it is the characteristic of the House of Commons. There have been complaints of late of indolence and want of assiduity on the part of this House.

The Chancellor of the Exchequer

It is said that we have passed through Session after Session without doing what our duty required. Now, in this Session an admirable opportunity will be afforded to the House, and if they only follow the example which the Government are prepared to set by the devotion of their time and labour to the pursuit of these propositions, I think we need not be frightened by the quantity of business before us, but may rather look forward to the end of a Session which will redound to the public advantage and to the character of this Assembly.

Motion *agreed to.*

Committee *appointed,* to draw up an Address to be presented to Her Majesty upon the said Resolution:—Mr. DE GREY, Mr. GRAVES, Mr. CHANCELLOR of the EXCHEQUER, Mr. Secretary WALPOLE, Lord STANLEY, General PEEL, Viscount CRANBOURNE, Sir JOHN PAKINGTON, Lord JOHN MANNERS, Sir STAFFORD NORTHCOTE, Mr. GATHORNE HARDY, Lord NAAS, Mr. ATTORNEY GENERAL, Mr. HUNT, and Colonel TAYLOR, or any Five of them:—To withdraw immediately:—Queen's Speech *referred.*

House adjourned at Seven o'clock.

HOUSE OF COMMONS,

Wednesday, February 6, 1867.

MINUTES.]—NEW WRITS ISSUED—*For* The College of the Holy Trinity, Dublin, *v.* Right hon. John Edward Walsh, Master of the Rolls for Ireland; *for* Galway Town, *v.* Right hon. Michael Morris, Attorney General for Ireland; *for* Andover, *v.* William Henry Humphery, esquire, Chiltern Hundreds.

NEW MEMBER SWORN—Arthur Kavanagh, esquire, *for* Wexford County.

PUBLIC BILLS—*Ordered*—Finsbury Estate*; Annuity Tax Abolition (Edinburgh, Parish of Canongate)*; Joint Stock Companies (Voting Papers).*

First Reading—Finsbury Estate* [1]; Annuity Tax Abolition (Edinburgh, Parish of Canongate)* [2]; Joint Stock Companies (Voting Papers)* [3].

QUEEN'S SPEECH.

REPORT OF ADDRESS.

Report of Address *brought up* and read.

On Motion, to agree to the Address—

MR. HADFIELD complained that no allusion had been made in the Speech to the question of church rates, although it would be in the recollection of the House that a Bill dealing with that subject was actually read a second time last Session.

Mr. WALPOLE rose to order. I do not know whether it is usual for an hon. Member to go into a subject not immediately relating to the Address. The course being taken by the hon. Gentleman is somewhat inconvenient, and may lead to some discussion.

Mr. SPEAKER: It would be open to the hon. Member, on the Question that the Address be read a second time, to refer to any particular passage in the Address, or to move an Amendment, but not to open a discussion on subjects irrelevant to the Address.

Mr. HADFIELD believed that he was in order, and that he had a right to notice a palpable omission in the Address, and to argue that an addition ought to be made to it. He did not want to raise any discussion upon the matter; but he thought that reference in the Address ought to be made to a subject of debate in that House for the last thirty years, and that some intimation should be given to the country on the subject of church rates. It appeared to him that they ought not to blink a question of thirty years' standing in that House. The House had by large majorities established the principle that abolition should be either entire, or that persons should not be sued for church rates. He therefore begged leave to move an addition to the Address to the effect that this House represents to Her Majesty its regret that no allusion whatever has been made in the Speech from the Throne to the subject of church rates—a subject which had been repeatedly discussed in this House. In his opinion the matter ought to be disposed of; and that it would be a great relief to the country if it were removed from discussion. He certainly understood last Session that an attempt would be made by the Government to deal with the question, and they ought not to shrink from it.

Mr. BAINES, in seconding the Motion, said, that the subject was one of so much importance, and had occupied so very prominent a position in the discussions of this House for many years, and especially last Session, that he could not but think it was exceedingly right for the House to express its regret that no mention was made of the subject in the Royal Speech.

Mr. SPEAKER: The hon. Member for Sheffield is quite in order in expressing an opinion upon the subject; but with regard to the proposal that he has made, according to the rules of this House, he is not in order. The time for moving an Amendment to the Address is while it is under discussion for the second reading; but after the Motion has been put from the Chair that the House do agree with the Committee in the said Resolutions, the opportunity has passed. Accordingly, he cannot now move the Amendment. The Question for the House is that the House do agree with the said Address.

Address *agreed to;* to be *presented* by Privy Councillors.

Queen's Speech to be *considered* To-morrow.

CAPITAL PUNISHMENT.

QUESTION.

Mr. HIBBERT said, the Home Secretary would probably be able to answer a Question, of which he had privately given him notice—namely, Whether it is his intention to bring in any Bill based on the Report of the Royal Commission on Capital Punishment; and, if so, whether that Bill will contain clauses as to the mode of carrying out capital punishment?

Mr. WALPOLE said, the Bill of last year did not come down from the House of Lords till nearly the close of the Session. The Government, exercising the best judgment upon the subject of which they were capable, thought it ought to be amended in point of form. But he could now inform his hon. Friend that two Bills had been already prepared, having for their object to separate the two distinct branches of the subject—namely, one relating to the law of murder, the other to the mode in which capital offences are to be carried into execution. The two Bills would shortly be introduced, and hon. Members would have an opportunity of considering their provisions.

Mr. HADFIELD wanted to know whether the Government had any Bill prepared founded upon the Report of the Commission on Oaths and Declarations.

Mr. WALPOLE: No; there is no Bill prepared at the present moment, because the Commission has not as yet made its Report.

FINSBURY ESTATE BILL.

On Motion of Mr. Ayrton, Bill to appropriate a portion of the income of the estate lately belonging to the Prebend of Finsbury, in the Cathedral of St. Paul, London, for the relief of spiritual destitution in the Metropolis, *ordered* to be brought in by Mr. AYRTON and Mr. LOCKE.

Bill *presented*, and read the first time. [Bill 1.]

ANNUITY TAX ABOLITION (EDINBURGH, PARISH OF CANONGATE) BILL.

On Motion of Mr. M'LAREN, Bill to abolish the Annuity Tax, or Ministers' Money, in the Parish of Canongate within Edinburgh, and to make provision in regard to the Stipends of the Ministers in that parish and city, *ordered* to be brought in by Mr. M'LAREN, Mr. DUNLOP, and Mr. BAINES.

Bill *presented*, and read the first time. [Bill 2.]

JOINT STOCK COMPANIES (VOTING PAPERS) BILL.

On Motion of Mr. DARBY GRIFFITH, Bill to afford Shareholders of Joint Stock Companies facilities for voting by means of Voting Papers, *ordered* to be brought in by Mr. DARBY GRIFFITH, Mr. ROBERT TORRENS, and Mr. VANCE.

Bill *presented*, and read the first time. [Bill 3.]

House adjourned at a quarter before One o'clock.

HOUSE OF LORDS,

Thursday, February 7, 1867.

MINUTES.]—*Sat First in Parliament*—The Marquess of Exeter, after the Death of his Father.

PUBLIC BILLS—*First Reading*—Masters and Operatives (3); Public Schools (4); Traffic Regulation (Metropolis) * (5); Lis pendens* (6).

MASTERS AND OPERATIVES BILL.

PRESENTED. FIRST READING.

LORD ST. LEONARDS *presented* a Bill for establishing courts of arbitration or conciliation for the settlement of disputes between masters and workmen. It is necessary, the noble Lord remarked, to take some steps for preventing the strikes which are so detrimental to our industry and manufactures. To put a stop to a strike by law, when once it has commenced, is perfectly impossible, because a state of war is then established between the master and his workmen, and this can be terminated by nothing but victory on the one side or the other. If, however, courts of conciliation are established, there can be no doubt that they will be freely resorted to, and that their action will tend both to prevent and to arrange disputes. Under the Bill which he proposed to introduce, leave will be given to the masters and men in every district to establish such courts; but it will not be compulsory upon them to do so, nor even to submit to their jurisdiction when they are established. If, however, either masters or men do attend them, and do refer their disputes to them, then the decision pronounced by these tribunals will have judicial force and would be enforceable by law. The principle of the Bill has received the approval of a deputation of operatives representing 100,000 men engaged in the building trades of the metropolis, who had an interview with him a short time ago.

A Bill to establish equitable Councils of Conciliation to adjust Differences between Masters and Operatives—Was *presented* by The Lord ST. LEONARDS; read 1^a. (No. 3.)

PUBLIC SCHOOLS BILL.

PRESENTED. FIRST READING.

THE EARL OF DERBY, in laying on the table a Bill to give effect to the recommendations of the Royal Commission on Public Schools, stated that the measure was almost identical with that which had been introduced last year, but which was sent to the other House of Parliament at so late a period of the Session that it was found impossible to pass it into law.

A Bill to make further Provision for the good Government and Extension of certain Public Schools—Was *presented* by The Earl of DERBY; read 1^a. (No. 4.)

ACCIDENTS IN COAL MINES.

ADDRESS FOR A PAPER.

THE EARL OF BELMORE *moved*—

"That an humble Address be presented to Her Majesty, for Copies of a Circular Letter from the Home Office to, and Reports from, the Inspectors of Mines to the Secretary of State for the Home Department as to the recent Accidents and Explosions in Coal Mines."

LORD WHARNCLIFFE, in moving for further papers, said, he hoped he might regard the Motion of the noble Earl as an indication that the attention of the Government was directed to the important question of the inspection of mines. Living as he did in the neighbourhood of the scene of one of the recent calamities, he had given much consideration to the subject, and thought that the law ought to be amended so as to give inspectors of mines additional powers. In one instance which came within his own knowledge a mine was supposed to be in a dangerous state. The person who was interested in it warned those who worked in it of the danger, and at the same time a letter was written to the Government inspector, who replied that nothing could be done in the matter. The number of inspectors at present existing was quite inadequate to the work to be performed. Instead of their visiting mines only when they were reported to be unsafe, every mine ought to be regularly and periodically inspected. He hoped that the Government would devote their attention to the subject, and would introduce the necessary amendments into the Act of Parliament.

THE EARL OF BELMORE, in reply, said, that there would be no objection to produce the document desired by the noble Lord; and further stated that it was the intention of the Home Secretary to refer all the papers to the Committee of the House of Commons which sat last Session to inquire into the subject of the inspection of mines, and which it was intended to re-appoint this year. He entirely agreed with the noble Lord as to the insufficiency of the number of inspectors. Mr. Wynne, the inspector of the Staffordshire district, told him the other day that he had under his charge 300 or more collieries and 900 mines; and that he could never inspect more than three mines a day, and sometimes only one. It was therefore impossible that he could make an inspection of each of these mines as often even as once a year.

Motion amended, and *agreed to.*

Address for—

Copies of a Circular Letter from the Home Office to, and Reports from, the Inspectors of Mines to the Secretary of State for the Home Department on the recent Accidents and Explosions in Coal Mines; together with the Letter of Instructions of 29th January 1867, from the Secretary of State for the Home Department to Mr. Sothern the recently appointed Inspector of Mines.—(*The Earl of Belmore.*)

TRAFFIC REGULATION (METROPOLIS) BILL [H.L.]

A Bill for regulating the Traffic in the Metropolis, and for making Provision for the greater Security of Persons passing through the Streets; and for other purposes—Was *presented* by The Earl of BELMORE; read 1ª. (No. 5.)

LIS PENDENS BILL [H.L.]

A Bill to amend the Companies Act, 1862, and also the Act passed in the Session held in the Twenty-third and Twenty-fourth Years of the Reign of Her Majesty, intituled "An Act to simplify and amend the Practice as to the Entry of Satisfaction on Crown Debts and on Judgments"—Was *presented* by The Lord ST. LEONARDS; read 1ª. (No. 6.)

House adjourned at a quarter before Six o'clock, till To-morrow, a quarter before Five o'clock.

HOUSE OF COMMONS,

Thursday, February 7, 1867.

MINUTES.]—NEW WRIT ISSUED—*For* Cork County, *v.* George Richard Barry, esquire, deceased.

SELECT COMMITTEE—On Kitchen and Refreshment Rooms (House of Commons) *appointed* and *nominated.*

PUBLIC BILLS—*Resolutions in Committee*—Shipping Local Dues; Transubstantiation, &c. Declaration Abolition; Offices and Oaths.

Ordered — Railway Companies' Arrangements; Shipping Local Dues; Transubstantiation, &c. Declaration Abolition; Offices and Oaths.

First Reading—Railway Companies' Arrangements [4]; Shipping Local Dues [5]; Transubstantiation, &c. Declaration Abolition [6]; Offices and Oaths [7].

INDIA—FAMINE IN ORISSA.

QUESTION.

MR. WALDEGRAVE-LESLIE asked the Secretary for India, Whether he is able to report any considerable decrease in the famine in Orissa; and he wished, in addition, to ask whether the noble Lord is prepared to lay any papers relating to the subject on the table of the House?

VISCOUNT CRANBOURNE: Yes, I am happy to say that a considerable decrease of the famine has been reported. In fact, distress now only exists in those districts in which the inundations of last autumn destroyed the growing crops. In those districts there will be, I fear, considerable distress, but they are only of very limited extent. With regard to the papers, I hope that I shall be able to lay them before the House at an early period; but until the Report of the Commission appointed to inquire into the subject has been received, I do not think it would be just to officers of Government in the Presidency of Bengal to lay before the House the very partial information which we at present possess.

MERCANTILE MARINE.

QUESTION.

Mr. CANDLISH asked the President of the Board of Trade, If it is his intention to introduce a measure to consolidate and amend the Laws regulating our Mercantile Marine?

Sir STAFFORD NORTHCOTE: I am aware that it is an object of considerable importance to consolidate and amend the laws relating to our Mercantile Marine. I am afraid, however, the task is one of great difficulty and labour. That, however, would not be any reason for our declining to undertake it. The reason why we are not now prepared with a measure of the kind is this:—It is our intention to introduce a Bill containing several important Amendments of the present law, and I think it will be much more satisfactory to discuss these Amendments by themselves. The Bill will be introduced into the House as early as the state of public business will allow. If we shall be able within a reasonable time to pass it, I hope we shall have time to prepare a Consolidation Bill and to lay it on the table of the House before the end of the Session, so that it may be well considered before the discussion be taken on it in the following Session.

OPENING OF THE SESSION—ACCESS OF MEMBERS TO THE HOUSE—POLICE ORDERS.—QUESTION.

Lord ERNEST BRUCE asked the Secretary of State for the Home Department, By whose authority Sir Richard Mayne, Chief Commissioner of the Police of the Metropolis, issued certain Orders to the police that no Members of Parliament be allowed to approach the Houses of Parliament in their carriages after a certain hour on the occasion of Her Majesty graciously opening Parliament in person; and why, when they were by this order obliged to descend from their carriages, no path whatever was kept open for them; whether it was not the undoubted constitutional right of Members to attend Her Majesty on such an occasion; and whether such Order of the Commissioner of Police was not in direct defiance of a Sessional Order of that House; and why the hoarding the whole length of Bridge Street was kept, and still kept, entirely closed?

Mr. CRAWFORD said, that as this was a question which concerned very nearly the privileges of the House, he claimed this opportunity of stating, by way of complaint, what his own experience had been in coming from the City on Tuesday last. On arriving at the Surrey side of Westminster Bridge he was stopped by a cordon of police and informed that he could not pass over the bridge. He stated that he was a Member of the House of Commons, and was proceeding to Westminster to discharge a public duty. Some demur was made, but eventually he was allowed to go on. On arriving at the Westminster side of the bridge, he found that he could not reach the House by the usual mode of access through Palace Yard in consequence of the hoarding which had been extended much further than it was last Session. He found also that Bridge Street was entirely blocked up by an immense concourse of persons, so that he could not get through by that route. There was no policeman at hand to refer to; and he had, therefore, to consider whether he should force his way through the crowd, or choose the alternative of re-crossing the bridge and going over Lambeth or Blackfriars Bridge. Finding retreat very difficult, he essayed the task of finding his way through the crowd. After considerable difficulty he succeeded in getting through the barrier to the other side owing to the friendly intervention of a policeman. When he reached Parliament Street he was in a state in which it would hardly have been decent to present himself to that House. His boots had been trodden on, and his clothes were covered with mud. Now, what happened to him happened also to several other Members of that House, among whom he might mention the Member for Dover, the Member for Buckingham, the Member for Inverness, and the Member for Bridgwater. The hon. Member for Inverness had to return over Westminster Bridge and proceed in a cab over Waterloo Bridge, and so to Charing Cross, where he was told he must alight. He did so, and proceeded on foot to the House through the pelting rain and mud two inches deep. On the other side of Westminster Bridge Members were called on to identify themselves by showing their cards or in some other way. Now, he maintained this was subjecting them to a great indignity. He did not complain on account of his personal inconvenience—indeed, it might be regarded as a subject of pleasantry by some persons—and as for the crowd he had no complaint to make against them, as he had never seen so vast a concourse of people in such good spirits and so happy. He should, in fact, be the last person to complain of their very natural hilarity, and had no wish to interfere with what was regarded as an annual holyday. What he complained of was the manner in which the Police Order had been issued. No steps had been taken to provide that persons coming from the City to the House of Parliament over Westminster Bridge—as he himself had been accustomed to do for the last ten years—should not be debarred from coming to the House. He wished to ask the right hon. Gentleman the Secretary of State for the Home Department, whether the Order issued by Sir Richard Mayne was an annual one, and issued as a matter of course; and, whether steps would be taken on similar occasions to facilitate the access of Members to the House?

Mr. WALPOLE: With regard to the observations which have just fallen from the hon. Member for the City of London (Mr. Crawford), I have to say that I was not aware of the personal inconvenience to which he had been exposed on the occasion of the opening of Parliament, or I should have made particular inquiries into the matter. In regard to the Question addressed to me by the noble Lord (Lord Ernest Bruce), I think he will find he is entirely mistaken in his impression as to the Orders issued to the police. The noble Lord asks "by whose authority Sir Richard Mayne, Chief Commissioner of the Police of the Metropolis, issued certain Orders to the police that no Members of Parliament be allowed to approach the Houses of Parliament in their carriages after a certain hour on the occasion of Her Majesty graciously opening Parliament in person?" And then he goes on to ask, "Why, when they were by this Order obliged to descend from their carriages, no path whatever was kept open for them?" Now, my reply is simply this. No such Order as is referred to in that Question has been issued by Sir Richard Mayne. I hold in my hand extracts from the Orders issued by Sir Richard Mayne in reference to the access of Members to the Houses of Parliament, which will clear up the misapprehension existing on the subject. The first extract is this—

> "No carriage or vehicle of any sort is to be allowed to pass between Charing Cross and the Houses of Parliament from the hours of 11 a.m. until 4 p.m., except the carriages of Peers and Members of the House of Commons, or those of persons having tickets of admission to the Houses of Parliament, or of persons going to any house between Charing Cross and Abingdon Street. The carriages of persons having tickets of admission to the Houses of Parliament, or those going to any house between Charing Cross and the Houses of Parliament, may pass until 1 p.m., and the carriages of Peers or Members of Parliament may pass until the arrival of the procession of Her Majesty at the Horse Guards, after which hour no carriages are to be permitted to pass between Charing Cross and Abingdon Street until Her Majesty has passed through Whitehall on returning from opening Parliament."

Hon. Members are mistaken, therefore, in supposing that any Order was given that Members of Parliament should be stopped. If any Member was required to alight from his carriage and walk through the mud, contrary to this Order, I regret it very much. But, there was also an Order issued with regard to the approach over Westminster Bridge. This particular Order directs that—

> "Every possible facility is to be given to the carriages of Peers and Members of the House of Commons in proceeding to and leaving the Houses of Parliament."

The police had strict injunctions to act upon these Orders. If they mistook their instructions, and if any Member of Parliament was put to inconvenience, all I can say, as I have said before, is that I extremely regret it. One word with regard to the crowd of which the hon. Gentleman opposite complains. This year there was an unusual crowd between the Houses of Parliament and Parliament Street, partly in consequence of the works there. The hoarding raised is one necessary for the works, and temporary inconvenience is thereby occasioned. The approaches from Victoria Street and the end of Bridge Street are closed, and on Tuesday the foot passengers collected in such crowds between Parliament Street and Westminster Bridge, that it was hardly in the power of the police to keep a passage clear. This is the explanation which I have to offer. If the hon. Gentleman opposite has any further complaint to make, I shall be happy to inquire into it. With reference to his last observation, that instructions should be given in future to prevent inconvenience to Members of Parliament, I may say that such instructions shall certainly be given, and that any additional precaution which may tend to prevent inconvenience shall be taken.

INDIA—INDIAN BUDGET.—QUESTION.

Mr. J. B. SMITH asked the Secretary of State for India, Whether any and what arrangements have been made to present to Parliament the Indian Accounts at the commencement of the Session; and, whether he intends to adhere to the practice hitherto adopted of bringing forward the Indian Budget in the last week of the Session of Parliament?

VISCOUNT CRANBOURNE: Orders were issued by Lord de Grey for the preparation of the Indian financial accounts in conformity with the English financial accounts up to the 31st of March. Till very recently I imagined that the accounts would be presented this year under that order; but I have received a telegram within the last few days stating that it could not be done until next year. The bringing forward the Indian Budget, as the hon. Gentleman well knows, does not depend on the time at which the accounts are laid upon the table, but on the business of the House with respect to other matters. In future Indian accounts are to be made, like the English accounts, up to the 31st of March.

H.M.S. "GANNET" AND THE "AROUCA." QUESTION.

MR. LAMONT asked the First Lord of the Admiralty, Whether it is true that the Captain of Her Majesty's ship *Gannet* refused or delayed to proceed to the assistance of a Scotch merchant vessel, called the *Arouca* of Glasgow, in distress off the Island of Trinidad in the month of November last; whether it is true that a French steamer did actually render the required assistance to the distressed vessel while the *Gannet* lay at anchor; and, whether he will object to lay upon the table of the House any Papers which he may have received relating to the subject?

SIR JOHN PAKINGTON: No official information has reached the Admiralty on the subject of the hon. Member's Questions. I understand there was a statement made on the subject in a Trinidad newspaper, which I have not seen. If there was a statement relative to this complaint in that paper, I have little doubt that the circumstance will have been brought under the notice of the naval Commander-in-Chief of the Station; and I think it probable that by the next mail I shall receive information on the subject. If so, I shall be able to communicate it; and, in any case, if the hon. Gentleman desires it, I shall be happy to make inquiry on the subject.

Mr. J. B. Smith

SEIZURE OF THE "TORNADO" BY THE SPANISH AUTHORITIES.—QUESTION.

MR. ALDERMAN LUSK asked the Secretary of State for Foreign Affairs, Whether the attention of Her Majesty's Government has been directed to the seizure by the Spanish Authorities of an English Steam Vessel, called the *Tornado*, on the high seas, in August last, and to the imprisonment and trial of the crew; and, if so, whether the Government has taken any steps to ascertain if the capture is lawful; if the representations concerning the harsh treatment of the men are well founded or not; and if there is any probability of their being soon released and sent home to this Country?

LORD STANLEY: Ever since the capture of the *Tornado* in August last the case has occupied the careful and anxious consideration of the Government. We have watched it in all its stages, and we have been in frequent, I may say, almost continual communication upon it with the Law Officers of the Crown. According to the well-understood rule of International Law, we had no right to object to the trial of the vessel taking place before a Spanish Prize Court; but we did remonstrate strenuously, and more than once, against what appeared to us to be the unreasonable length of time occupied in the preliminary investigation. Within the last few weeks we have had all the proceedings before us. Acting under legal advice, we have found ourselves authorized and compelled to protest against the illegal and informal character of some of the proceedings of that Court; that protest has only very lately been received by the Spanish Government, and I am not yet able to say what the result of it will be. With regard to the treatment of the men, and generally with regard to details, I think the best answer I can give to the hon. Member will be to ask him to wait a few days, when all the papers relating to the transaction will be laid before the House.

SUPPLY—QUEEN'S SPEECH.

QUEEN'S SPEECH *considered*.

Motion, "That a Supply be granted to Her Majesty:" — Committee thereupon *To-morrow*.

RAILWAY COMPANIES' ARRANGEMENTS BILL.

LEAVE. FIRST READING.

Sir **STAFFORD NORTHCOTE**, in asking for leave to introduce a Bill to make better provision for the arrangements of the affairs of Railway Companies unable to meet their engagements, said : I think the House will not be surprised that the position of the railway companies in this country should have attracted the attention of Her Majesty's Government. In point of fact, there are few questions which have been more before the public of late than the embarrassed position of some of our railway companies—especially the embarrassed position of one of them. Many important questions affecting the future position of railways and the relations of the companies and the State may, at the proper time, engage the attention of Parliament, and to these it will be right that the Government should by-and-bye draw attention ; but I think that we are not at the present moment ripe for the consideration of many of these questions, because the Royal Commission which was appointed a short time since to consider the important points in our railway system is still sitting, and has not yet presented its Report. I understand, however, that it is nearly completed, and when it is presented to the House it will, of course, be the duty of the Government to take it into serious consideration, and they may think it their duty, upon the recommendations contained in that Report, to make proposals to this House, which it is now, of course, quite impossible to anticipate. I do not, then, think that this is the proper time for considering many of the questions which affect railways, and to which public attention has been directed; but there is one urgent question, of great magnitude, to which we think it is desirable the attention of Parliament should be directed, and that is the question of the arrangements that shall be made in the case of railway companies which are unfortunately unable to meet their engagements. The Government has thought it desirable to bring their proposal before the House at the commencement of the Session—partly because they wish that the House should have an early opportunity of considering the views they have to submit to it, and partly because of the actual case of certain railway companies who are now in a position of some difficulty. There is nothing in what I shall say to the House, or in the plan which I shall have to propose, which will necessarily interfere with any arrangements now pending; but it is possible that after the views of the Government have been stated upon this subject, and when the opinion of the House has been taken on the course that ought to be pursued with regard to insolvent railway companies, those views and opinions may have some bearing on the proceedings of companies which are now coming before Parliament with reference to arrangements. It is quite unnecessary that I should enlarge upon the importance to the public of an inquiry into this question; but I wish, in opening the discussion, to find some safe ground to start from, and some principle I can take as my guide on the question we have to consider. The ground I start from is this—that the matter is one of public interest, and that the principle on which we ought to proceed in any suggestions we may have to offer for the solution of the difficulties in which railway companies find, or may find themselves, should be that of an adherence to the public interest. We must look on railways as undertakings which have been specially favoured by Parliament—not for the sake of the persons who undertake to construct them—not for the sake of the shareholders, the creditors, or any other class of persons interested in them, but as undertakings to which Parliament has afforded great facilities, because they were considered to be of importance to the communication of the country, and for various public purposes, to which I need not enter into detail; and therefore Parliament has a right to say, "We will take care that these undertakings which we have encouraged, and to which we have granted such facilities, shall really be of advantage to the public," and if we perceive, in the course of the undertaking, that the circumstances of the company will not enable it to carry on its undertakings beneficially for the public and consistently with public security, then I think Parliament has a right to come forward and say, we will endeavour to remedy those evils; and whilst we are prepared to give all due attention and consideration to the rights of individuals, we have a right to demand that some arrangement shall be made for securing the rights of the public. If we start on this principle, then, I think there will be very little difficulty in applying it to the case of a railway company in such a state of financial embarrassment as to be unable to properly conduct its business. This is a matter which affects not only the public convenience but the public safety; and to these ends it is essential that railways should be in the hands of companies possessed of sufficient funds to carry them on in a proper way, to supply the proper and necessary appliances for working, to keep the permanent way in proper and substantial repair, and provide those train services and other facilities which the public have a right to expect. When, however, we find that a railway company is in a position of insolvency, and is unable to meet its engagements, Parliament is entitled to say, on behalf of the public, that this company ought, in some way or another, to give up the task which it is unable to accomplish to other hands who are able to so. When I use the expression that such railways should give up the task to more competent hands, I do not necessarily mean that the existing railway companies should sell their railways to some stranger or third party, because the object may be accomplished by such a re-arrangement of their affairs as would render them just as competent to carry on their undertakings as any new companies founded on a sounder basis. All I now contend for is that it is our duty to see, if a railway company cannot satisfactorily work its railway, that some provision should be made for placing it in the hands of those who can. Having got so far as that in the consideration of the matter which I am endeavouring to lay before the House, I find that I am met with difficulties on the side of the law. As the law stands it is not possible—at all events, in the case of unwilling companies—to force anything on them in the nature of an act of bankruptcy, and it is not possible to compel them to place their affairs in the hands of those who are able and willing to work the lines for them. Railways are expressly and deliberately excepted from the law applicable to all other companies, under which other companies may be made bankrupt when unable to meet their engagements; and although railway companies who choose to register under the provisions of the Joint Stock Companies Act may be wound up under that Act, even in that case it would be of necessity an imperfect proceeding, for there is no authority which would have power to sell the railway or to make any arrangement as is made in the case of other undertakings, or to transfer it to other hands. For that purpose it is necessary that the railway company should come to Parliament. Now, if that is the state of the law, we must look at it not only as a matter of fact, but we must look on it as being an incident of the policy on which the law is founded. It is not a mere omission on the part of the Legislature to put them on the same footing as other companies; railway companies are expressly and deliberately excepted by the Legislature on the ground that their undertakings, being of a public character, are on a different footing as regards the public from private undertakings, which are carried on for the benefit of the individuals who carry them on. If a company, for instance, carrying on a cotton-mill, should be found unable to carry on its affairs satisfactorily, it may be made bankrupt, and the mill sold; but whether the concern be carried on, or the mill pulled down, is of no direct or immediate interest to the public. But in the case of a railway company the public have a great interest in what becomes of the line; in fact, they have more interest in what becomes of the line than in what becomes of the company. Parliament, therefore, may fairly say to such a company, "When we gave you the power to make this line, we did not at the same time empower you to transfer it to whom you pleased; we allowed you to work, but not to sell it; and if your affairs go wrong and you are obliged to sell, we must have a voice in the disposal of the line." When we consider the public importance of railways, the means they afford of communication throughout the country, and the relation which one railway system bears to another, the question who is to work a railway, in whose possession it is to be, and upon what conditions it shall work—all these are points of public policy, not merely of private interest. The case, therefore, stands thus:—Although it is of importance that an insolvent railway company should be relieved from duties which it is not able to perform, and that provision should be made for the better performance of those duties, the existing law supplies no means of accomplishing such an object without, first of all, the consent of the company, and its registration and winding-up under the Joint Stock Companies Act; and, in the next place, a private Act of Parliament permitting the sale of the railway. That being the case, we have to consider in what way we are do deal with those companies which may unfortunately bring themselves into this position. The first suggestion might be that you should introduce into your legislation provisions for enabling such companies to be wound up adversely in the Court of Chancery. But, if you do that, it will be necessary to adopt provisions directing the mode in which the railway is to be disposed of, and also provisions to meet the other circumstances of the case. This must be either by some general Act applicable to every case, or the provisions may be settled by some other authority than that of Parliament. The most obvious that suggests itself is the Court of Chancery, and that that Court, or any other Court in which the company may be wound up, should have the power to prepare a scheme for the disposal of the railway and the property of the company. But if you were to give the Court of Chancery this power there is no doubt that Parliament would insist that the scheme should not be adopted and carried into effect upon the sole authority of the Court of Chancery, but should be brought before the House for its approval or disapproval of the proposed scheme. It is out of the question to suppose that Parliament will place in the Court of Chancery, or any other Court, the power of making a final arrangement of such a matter. With every respect for the Court of Chancery, I do not think the Court is competent to execute such functions. No doubt that Court, when it came to prepare a scheme, would contrive in some way to do that which it considered best for all parties interested in the railway, and as between shareholders and debenture-holders and other creditors, would be able to prepare as just and equitable a scheme as could be devised; but when it became necessary to introduce provisions for the interests of the public, then, I think, a Court of Law would not be the best instrument for framing such a scheme. Again, the idea of introducing into a general Act of Parliament all the clauses and provisions necessary to meet the case of railways in embarrassed circumstances is out of the question. The provisions contained in any such Act must be extremely elaborate to meet every possible variety of case that can be conceived, and must be accompanied with guards and checks of every conceivable description, and upon every one of those provisions questions would arise which would lead to doubts, disputes, and differences. I hardly think it possible that such a Bill could be carried through Parliament; and even if it were, I think it is almost certain that when it came to be worked, many cases would be found to have been omitted, and new cases would constantly arise for which no provision had been, or could possibly have been, made. We must therefore dismiss the idea either of dealing with the matter through the Court of Chancery, or of embodying provisions in a general Act of Parliament which should be satisfactory. Various suggestions have been made at different times, and there is one class of suggestions to which I think I must refer, because great prominence has been given to it. It has been said by certain persons interested, and by some of very great authority, that the matter ought really to be dealt with with reference especially, if not exclusively, to the rights and claims of the debenture-holders; that, in point of fact, they ought to be regarded as the mortgagees of the line, and that when a railway company is unable to pay the interest on its debenture debt, or to meet the claim of its debenture-holders for principal and interest, that they ought to have the right to foreclose, as it were, and take the line into their own hands. Now, looking to the public interest, I do not think any such arrangement can be sanctioned. The question of whether debenture-holders do or do not possess the rights of mortgagees over a railway is a question which has been more or less debated, and was up to a certain time doubtful; but the recent decision of Lord Justice Cairns, about ten days ago, has determined that debenture-holders are not in the position of mortgagees, that they have no power to take precedence of other creditors or to foreclose upon the land and take the whole concern. Therefore, I do not think that the claim of the debenture-holders has been established to such a point as to render it incumbent on Parliament, in making arrangements for the affairs of embarrassed companies, to treat theirs as the one great interest to be considered to the exclusion of all others, and to give them, as a matter of right, at whatever cost of public convenience, the management of concerns of such magnitude. We are not to look upon the question as a case in which the debenture-holders have a right to seize the line when it does not pay; but we are free to look upon it from the public point of view, and consider what arrangements will be most expedient for the public interest. We must, in the first instance, regard these concerns, which have been sanctioned by Parliament for public purposes, as a whole, and look to the public interest first; and then we must endeavour to deal with the different classes engaged in the undertaking, in one shape or another, with reference to the rights of those parties. Those rights are so important that it is desirable that they should be ascertained by proper tribunals; and in any arrangement we make we should give due weight to them. But looking at this as a matter of public interest, when we see a concern which cannot be carried on as we expected it should be when we sanctioned it, we have a right to see how the management of the line can be so re-arranged that the undertaking can be carried on in a proper manner. Now, one can hardly conceive a more unsatisfactory way of carrying on a line than by putting it into the hands of a body of debenture-holders. They confessedly are a class who are not qualified for the management of commercial transactions. I do not speak of every debenture-holder, but of the body. They are a class of men, and not unfrequently women, who do not desire to undertake the responsibility of the management of a great undertaking, who will not be well qualified to elect Directors, or to keep them in check by attending meetings; but who, having money to invest, desire to lend it on what they believe to be good security. Now if you suddenly throw on a class of persons like this the management of the railway which others much better qualified had been unable to manage successfully, you are more likely to add to the inefficiency of the conduct of the line than to restore it to efficiency. I therefore set aside all question of allowing the debenture-holders to take the management themselves. Then there is another proposal. Supposing the case that the debenture-holders are allowed to step in and take the management and control, it is thought by some that they should not be allowed to do so uncontrolled, but that the Government should assist them in the management. Two proposals have been made with regard to the action of the Government in the matter, and I desire to say a few words upon this point, because rumours, as if from authority, have got afloat pointing to courses which the Government would never think of following. One of these suggestions is that the Government should come forward, leaving all other matters exactly as they are, and take the debentures of involved railways on itself, that it should undertake to pay off the debenture-holders and become creditors of the companies in their place. As to such a proposal, or anything in that nature, I venture to say it is one that Parliament could not contemplate for a moment. I do not elaborate this point as it has been elaborated in the public press and elsewhere; but it seems to me that the result of all such propositions is that the Government is to constitute itself into a great Finance Company, to undertake on the strength of its credit to come forward and help those whose credit is not so good as their own; and it is said that the Government being able probably to borrow at the rate of 3½ per cent for the purpose of lending at 5 or 6 per cent, might realize a large profit. Against all such proposals I venture to enter my protest. I am satisfied that it would be an unwise and improvident thing on the part of the State to lend itself to any operation of that kind. We have got enough to do with the management of our own Debt, without undertaking to add largely to it by paying off the debts of other persons with a view to reap the benefit of such profit as may be represented by the difference of the credit of the railway companies and that of the State. A proposal a little less objectionable would be for the Government to take all the debentures of all the companies, and not only those of the bad ones. This would be rather better than that it should take up the bad bargains only. But I think this also is out of the question. Then there is a proposal of a much larger character—that the Government should not only undertake the debenture debt, but also take the railways themselves; and for this undoubtedly there is more to be said—because, to take the debenture debt without the railways would be to take an obligation on ourselves without taking power to interfere with the management of the railways, and we should so run great risks without the power of protecting ourselves; but to take the railways themselves would be a different matter, because we should have the control, and might be able to conduct them with profit. But this is not the moment to consider that question — it is before the Royal Commission on Railways, and whatever their Report may be — of which I am quite ignorant—it will receive due attention. I must however say, that if it should point to any such conclusion as that we should take the railways, that matter would require the most serious and careful consideration before it could be even entertained. I do not say for a moment it should be entertained; but I wish to distinguish it from the mere taking the debentures, which would certainly be most objectionable. Setting this aside, and setting aside any proposal in the nature of working a line by Government interference, I ask, how are we to deal with the difficulty we have to meet? I have endeavoured to show, in the first place, that in the interest of the public, some means should be found of transferring railways from insolvent to solvent management; that this cannot be done solely by the intervention of the Court of Chancery; that the necessary provisions cannot be made by any general Act of Parliament; and I have indicated that it is not desirable for the State to take the railways or their debts on itself. I have also endeavoured to show that Parliament would not be disposed to allow the arrangements of our railway companies to go entirely out of its control. Therefore, as provision cannot be made by a general Act, there must be a special Act of Parliament in each individual case, framed according to the circumstances. Hon. Members will perhaps say that the end of all this long statement is, that things are to go on as they are—that at present Private Bills are to be introduced to meet each case as it arises. That is not exactly our proposal. The difficulty of proceeding by Private Bills on the present footing is that a Private Bill can only be promoted, or only is promoted, by the company itself; and there is no means of compelling a company that is unwilling to do so to wind up its affairs. Moreover, in the case of Private Bills only certain persons have such an interest as gives them a *locus standi* before the Committee, and the interest which the general public has, although very great, would hardly entitle it to be represented. Then in Private Bill legislation we have much uncertainty to deal with, because the decisions of the Committees in one Session are often overruled by those who succeed them in the next, and there is the possibility of the rules laid down by one House of Parliament being disregarded by the other. All these difficulties have induced Her Majesty's Government to try if we cannot find a better mode of dealing with these questions. I think there may be. I think that by calling in the aid of the Executive Government for certain purposes you may provide a better mode of meeting these cases. We propose, then, that the Executive Government—through that Department of it which is more particularly concerned, the Board of Trade—should, in the first instance, prepare the schemes which shall be laid before Parliament in the form of Bills, and should take charge of them as Public Bills, and carry them through Parliament. The proposal is that when a company is in a state of financial embarrassment, when it is unable to pay the interest or principal of its debentures, when there is an execution issued against it and there are no funds to satisfy the demands of its creditors, or when the traffic is suspended and it is not able to carry on its business—contingencies which are fully set forth in the Bill—it shall be lawful for a certain number of the creditors or shareholders of the company to present a petition to the Board of Trade praying that the Board will order an investigation into the circumstances of the company. On that a communication will be made to the Directors of the company, and a certain limited time allowed them in which to offer objections to that course of proceeding; after which the Board of Trade, if satisfied that there is a *primâ facie* case for inquiry, will appoint one or more inspectors. These are to be persons competent from their financial and legal ability to investigate the whole position of the company, and will be armed with the power to call witnesses and collect evidence, so as to effect a complete and satisfactory investigation. They will then prepare a scheme for the settlement of the company's affairs, for which the Board of Trade will make itself responsible, and which it will introduce into Parliament. Next comes the question how the Bill shall be dealt with by the Legislature; and it being one great object of the plan to insure as far as possible uniformity of decision and a reduction of expense, it is proposed that instead of such a Bill being separately considered by Committees of each House of Parliament, it shall be introduced simultaneously into both Houses, and that after passing a second reading in each it shall, in the event of opposition from interested parties, be referred to a Joint Committee, appointed by the two Houses, under Standing Orders to be framed for that purpose. That Committee will deal with it in the same way that Private Bills are now dealt with, and the Bill being introduced by the President of the Board of Trade, will be carried through by him upon public grounds—so that he will be interested in raising questions before the Committee which the promoters or opponents of Private Bills are not necessarily interested in considering. A means will thus be provided for dealing with each special case upon its own particular circumstances, through a careful examination of its merits by persons who, selected in the first instance for their competency, will, in process of time, acquire a great deal of experience, and who will not be hampered by formal rules of evidence from obtaining information in the freest possible manner. With regard to the Joint Committee, I venture, though with some diffidence, to suggest that the Standing Orders should secure its appointment upon a very careful footing, and that the two Houses should be empowered, if they think fit, to associate with the Committee some of the Referees to whom Private Bills were now referred. This, however, is a matter of detail, and is not essential to the scheme, that which is essential being a joint inquiry by both Houses, with a view to avoid expense and uncertainty. I think Parliament may be satisfied with this—and, indeed, I am inclined to think that it would be a great improvement on the mode of conducting Private Business were the principle of Joint Committees carried still further. I do not wish, however, to travel beyond the limits of the present measure, and therefore only suggest that course as advisable in the case with which we now have to deal. In the event of the inspectors finding that the requisite arrangement is within the terms of an existing Act of Parliament, there is a clause providing that they may, with the assent of three-fifths of the shareholders, debenture-holders, and other persons interested, prepare a scheme and submit it to Her Majesty for confirmation by an Order in Council. I have now stated the leading features of the Bill, which will be in the hands of hon. Members in a day or two, and I trust that at no distant period it may be considered by the House, the Committee upon it being deferred, if thought desirable, for a longer time than usual, in order that the details of the scheme may be fully examined. I hope that the proposal will be found to obviate some of the difficulties now experienced owing to the present state of the law, which renders companies, practically insolvent, unable to come to any arrangement, and drives them to seek relief in all directions, each class standing upon its exclusive rights, and the assets being wasted in internal disputes. I believe that the plan which I have sketched out will not only provide a simple and effective method of dealing with these difficulties as they arise, but will, to some extent, prevent their occurrence, because the knowledge that the intervention of the Board of Trade may be invoked will act as a check upon Directors, and also as an encouragement to shareholders to take an interest in the arrangement. Vexatious and frequent appeals are, of course, to be deprecated. This is the proposal of Her Majesty's Government, which I now ask leave to present in the shape of a Bill.

Moved, "That leave be given to bring in a Bill to make better provision for the arrangement of the affairs of Railway Companies unable to meet their engagements."—(*Sir Stafford Northcote.*)

Mr. WATKIN said, he did not intend to oppose the introduction of the measure, but he should have desired to have the Bill before them, because it was very difficult to judge of its operation by the essay they had just heard from the right hon. Baronet. He submitted, however, that though there was a case for legislation of some kind, the right hon. Baronet had not made out a case for the introduction of the measure which he proposed. The right hon. Gentleman had stated that Parliament ought not to interfere with the concerns of these joint-stock companies except in the interest of the public, and that interest, his argument led them to infer, consisted in the facility and safety of locomotion; but he had not adduced a single case in which even the unsound companies had failed to carry on the traffic. He therefore ventured to think that the matter might be left to the ordinary common sense and self-interest of the persons interested in these concerns, and that there was no need of the intervention of Parliament by general measures. The cases were exceptional, and called for exceptional legislation, each case upon its own merits. General legislation was not needed, and to propose it would create doubt and distrust, and needlessly damage the credit of sound companies which, under general measures, would be classed with the unsound. The right hon. Baronet promised, at the close of last Session, to lay before the House an explanation of the financial collapse of last spring. Now, it was admitted that one cause of the suffering then experienced was the sanction given by Parliament during the last three or four years to various wasteful schemes for the expenditure of the national capital. These unsound undertakings, it should be remembered, had been authorized by Parliament; and though, no doubt, it was not the province of the Legislature to prevent people from throwing away their money—though, no doubt, a man was at liberty to pull down his house and make it a heap of rubbish, or, provided he did not insure it, to scuttle his ship—Parliament surely ought not to facilitate such operations. The expenditure of a large amount of labour, and the consequent wasting of the national resources in unremunerative schemes, was a loss to the nation, though the capital belonged in the separate sense to individuals. £450,000,000 had been invested in railways in the United Kingdom; but the total amount of capital invested in these unsound undertakings — the first being in the South of Ireland, next some in Wales, and lastly the London, Chatham, and Dover—did not comprise more than a tithe of that total. By these failures the public had not been so far damaged; and he (Mr. Watkin) said that Parliament should leave to the promoters of the undertakings themselves to present schemes for managing their own affairs, in their own way, according to the dictates of their own common sense. He (Mr. Watkin) feared that if this Bill were carried it would be the beginning of a departure from the useful principle that the persons who went into these undertakings ought to be allowed to manage their own affairs. It would probably be found that the management of the Board of Trade would not be so good as that of the worst managed of these railways. He feared that the Bill of the right hon. Gentleman would only create a false security in the creditors and debenture-holders. Instead of each man inquiring for and relying upon himself, he would be looking on the Board of Trade as an emblem of safety, and relying on it as a surety against loss. The pith of the whole question was to be found in this—what was at the moment required was not the interference of the Board of Trade, but merely a short provision in a general Act of Parliament for the inviolability and perfect security of railway debentures — the keystone of that railway system which, with all its shortcomings, had done so much for the well-being and prosperity of the country. What was the present position of the question? The right hon. Gentleman said that a recent legal decision had rendered it doubtful whether a debenture was a mortgage, whether a debenture-holder had a right to sell; and then the right hon. Gentleman enunciated a most dangerous principle in stating that the railway mortgagee ought not to be allowed to sell the security on which his money had been advanced. Such a principle would sap the foundation of the whole mortgage property of the country, and the feeling of doubt and insecurity created would raise the rate of interest upon all mortgages. There never was a more dangerous principle laid down by a Minister in this country than to say that the mortgagee should not be able to sell the security on which his money had been obtained in his mortgage. In Transatlantic countries the railway debenture was a mortgage, not on the tolls only, but on the engines, plant, and the whole property of the undertaking. What was wanted was to make a railway debenture really a mortgage. If that were done, he believed there would be found in the most rotten of these concerns a core of soundness which would pull the enterprize at last through in the interest of the public. A very short, simple measure to make the debenture inviolable would be safe and useful. The Bill of the Government would be useless and mischievous.

Mr. MILNER GIBSON said, he would be sorry to give any off-hand opinion on the scheme of the right hon. Gentleman, which was somewhat complicated, and must contain many details which they could not usefully discuss until they had the Bill before them. But he had heard with great pleasure that one part of his plan was to refer any Railway winding-up Bill, brought in as proposed under the auspices of the Board of Trade, to a Joint Committee of both Houses of Parliament. They had a Joint Committee two or three Sessions ago on Metropolitan Railways, and their experience on that occasion justified Parliament in carrying the principle of these Committees still further. The double inquiry had been a source of constant complaint, and it had been felt that the evidence on Railway Bills might be given once for both Houses, and that one inquiry would serve all the purposes of legislation. The Committee on Private Bill Legislation, which sat two or three years ago, were of opinion that this system of Joint Committees might be adopted generally for all cases of Railway and Private Bills. Perhaps that would be going too far at present; but, at any rate, he was glad to find that the right hon. Gentleman proposed to carry the principle a step further. With regard to the scheme itself, what struck his mind most was that the Board of Trade would be called upon to exercise most important judicial functions. Under the proposed scheme creditors might come forward and petition the Board of Trade that a certain company should be wound up. The Board of Trade would of course hear the parties who objected to the company being wound up and made bankrupt. That was a most important function to be committed to a public Department; but it appeared more difficult still when they considered that the Board would have to decide upon the equitable rights of the debenture-holders, the preference stock holders, and the ordinary creditors. These were judicial operations well suited for the Court of Chancery; but unless performed under very competent and proper advice, they were not suited to a Department like the Board of Trade. He would not, however, speak unfavourably of any part of the scheme until he knew more of it; but he could not sit down without saying that he thought the right hon. Gentleman had undertaken a most useful task in endeavouring, so far as he could, to enable persons to get out of their unfortunate difficulties in connection with railways. He certainly agreed that the public had a primary interest beyond all other interests, and it was that of enabling the railway communications of the country to be kept open. The public interest was, in fact, that the traffic in passengers and goods should be carried on with safety and punctuality; but the public had no direct interest in the question whether debenture-holders got their full interest or shareholders their dividends, though Parliament was bound to provide a mode by which all claims on a railway company can be equitably arranged, and, at the same time, securing that the railways themselves should not be liable to be stopped in their use to the public. Debentures and shares were matters of speculation on the part of debenture-holders when they lent their money, and of shareholders when they embarked their capital; but, undoubtedly, he agreed with the right hon. Gentleman that the Government and the public had a direct interest in seeing that railways, which had become the high roads of the country, should be kept open, and that the traffic upon them should be conducted with safety and regularity.

SIR ROUNDELL PALMER said, he quite agreed with his right hon. Friend (Mr. Milner Gibson) that it was premature to express an opinion on the measure itself; but he could not think it premature to express an opinion with respect to the principle upon which it was said to be based. Having a most acute sense of the extreme importance and urgency of the question, he had heard the statement of the President of the Board of Trade with feelings of the most profound disappointment. The measure appeared to him to be necessarily inadequate to deal with the real evil, and based upon principles wholly insufficient to meet the actual difficulties of the case. It was very true that the public had an important interest in the maintenance of these great lines of communication; but he could not but express his entire dissent from the view—if it were the view—of the right hon. Gentleman that Parliament had no duty to discharge with regard to the private interests, especially of the creditors, of these great concerns. [Sir STAFFORD NORTHCOTE was understood to intimate his dissent.] He did not imagine that the right hon. Gentleman had said so; but, at all events, the Bill did not take that broad and general view of the rights of creditors and the proper mode of providing for their payment which seemed to be imperatively required, and which could not possibly be provided for by this sort of special piecemeal legislation through the Board of Trade and both Houses of Parliament in each particular case. There should be a general law securing to the creditors of a railway and all other companies the payment of their debts to the extent of the means of the company on settled principles to be administered by the Courts of Law. He did say that the state of things lately disclosed in that respect was scandalous. He could not agree with the right hon. Gentleman that, under the existing Acts of Parliament, railway companies, either by registering themselves or otherwise, could be wound up. This, however, was quite certain—that judgment creditors might pull to pieces by private and separate executions all that was absolutely necessary to enable the company to go on—because no tolls could be earned, no profits could be derived, and the public traffic could not be provided for without the rolling stock. At the present moment, if a company were insolvent, each individual judgment creditor, going for his own separate interest, might pull to pieces the plant and rolling stock of the concern. That was an imminent practical danger; and then what would happen? In all other cases of winding-up or bankruptcy, the available assets were distributed rateably among the creditors—but no such machinery was applicable to this particular case; and with regard to the unfortunate debenture-holders, whom Parliament had certainly led to suppose that they had got security under Acts of the Legislature, it had been lately determined—and, no doubt, correctly—that they had no mortgage on the permanent way or on the rolling stock; that they had no power, and that nobody had power, to supersede the management of the company; and that their sole right, if there were profits, was to get their interest paid out of those profits. But unless a railway could be carried on, and the general interests of the creditors were provided for by an administration for their common benefit, in the special case of insolvency which the Bill proposed to deal with, it was utterly impossible there could be any profits whatever; and the enormous amount of property involved in railway debentures in the kingdom would be exposed to daily and hourly risk. Let him suppose that the procedure proposed by the right hon. Gentleman opposite was adopted, that a company was in this state, and that people went to the Board of Trade to settle a scheme. As his right hon. Friend (Mr. Milner Gibson) had justly said, if the Board of Trade was to settle a scheme for the re-constitution of a company, so as to provide for the different rights of the different classes of creditors, he did not see how it could possibly do that except by the exercise of judicial functions. Take the case of the unfortunate company, the state of whose affairs had led to these questions—the London, Chatham, and Dover Company. That Company had, by their legislation—they must never forget that—been cut up into a great number of sections, and parcelled out among different classes of creditors and persons who had been induced to lend their money. It was in utter confusion. Was the Board of Trade to disentangle that mass of complication and confusion; or, if not to disentangle it, could it propose new legislation with due security for the proper maintenance of the rights of all those various classes of creditors? It seemed to him to be totally impossible for the Board of Trade to do that. Judicial machinery was absolutely necessary for the purpose; and the present judicial machinery was confessedly inadequate to accomplish it. He ventured to think, if he understood the right hon. Baronet's explanation, that his proposal in that respect would be a most inexpedient one; for, whatever else might be desirable, they wanted a Bill that should give to the Courts of Justice that large and comprehensive power of doing justice to all the creditors of these companies in case of insolvency, which the Court of Chancery and Court of Bankruptcy had in regard to any other joint-stock company.

SIR STAFFORD NORTHCOTE, in reply, said, he had to apologize to the House, and confess that when he undertook to bring in this Bill he had some doubts as to his own power of fully explaining its nature. He agreed in the remark which had been made by the hon. and learned Gentleman the Member for Richmond, that there were disadvantages in discussing Bills before they were in the hands of Members, because the only impression which the House could possibly derive of their provisions must be gathered from the explanation—often a very imperfect one—of the Member bringing them in, who, being naturally hampered by his desire not to trespass too long on the time of the House, sometimes omitted points which ought to be mentioned. If, however, the hon. and learned Gentleman (Sir Roundell Palmer) had had the Bill in his hands he would have seen that it was not quite open to the objections which, upon the imperfect statement he had given of its provisions, might fairly be taken to it. He quite admitted that it would be extremely difficult for the Board of Trade to exercise the functions which the Bill proposed to vest in it. There would, no doubt, be many judicial questions raised which the Board of Trade would not be competent to settle for itself. But it was intended to insert in the measure a clause giving power to the inspectors of the Board of Trade to refer questions of a delicate legal character to the Courts of Law, to be decided by an issue which would be properly tried with regard to the rights of particular classes of creditors. That was a point on which he felt himself incompetent to speak, because it was one of a technical nature; but he had drawn the attention of the gentleman who had charge of the framing of the Bill to it, and desired him to prepare a clause, or clauses, to meet that difficulty, and enable judicial decisions to be taken in those cases in which they might be absolutely necessary. He could not, of course, say whether these clauses would be satisfactory. He would only observe that the point was one which had not been overlooked, and when the hon. and learned Member had the Bill before him, it would be seen whether the clauses were sufficient for the purpose. The hon. and learned Gentleman had said, very truly, that what they had to do was to protect a company against the suspension of its operations. It was proposed to introduce a clause into the Bill which would prevent the seizure of the rolling stock, or any proceeding that would interfere with the carrying on of the railway. The hon. and learned Gentleman, having graphically described the state of confusion which existed in the case of the London, Chatham, and Dover Railway Company, asked whether the Board of Trade would find its way through all that labyrinth? Certainly, he was not going to say that it would be able to do that or absolutely to settle all those questions; but it would be a great improvement in the present state of things, when all these various classes of persons were fighting together and wasting their time and money without any mediator or arbitrator at all between them—it would be of great advantage if they provided an arbitrator who might be competent, and whose decision, if he were not competent, would not be final, but would have to come before Parliament. The hon. Member for Stockport (Mr. Watkin) said all that was wanted was that they should protect debentures. He did not think that was all they had to do; but he would not enter into that controversy, neither would he discuss the bearings of that question upon the commercial distress of last year. He would only ask the House kindly to allow him to introduce the Bill, and to suspend its judgment upon its details until it had seen them.

Motion *agreed to.*

Bill to make better provision for the arrangement of the affairs of Railway Companies unable to meet their engagements, *ordered* to be brought in by Sir STAFFORD NORTHCOTE, Mr. CAVE, and Mr. ATTORNEY GENERAL.

Bill *presented*, and read the first time. [Bill 4.]

SHIPPING LOCAL DUES BILL.

COMMITTEE. RESOLUTION. FIRST READING.

Shipping Local Dues *considered* in Committee.

(In the Committee.)

SIR STAFFORD NORTHCOTE rose to propose that—

> "The Chairman be directed to move the House that leave be given to bring in a Bill for the Abolition of certain Exemptions from Local Dues on Shipping and on Goods carried in Ships."

It would, he said, be convenient that he should defer, as far as possible, any discussion on the Bill which it was sought to introduce until it was in print; but he might then briefly state that last year a law was passed in France, admitting foreign ships to very great advantages, which they had not heretofore enjoyed in French ports, but this privilege was limited to the vessels of those countries which treated French ships with perfect reciprocity. The nature of the new French law was this, that it abolished the tonnage dues which weighed heavily on ships entering French ports, but retained power for the Emperor to re-impose them upon the ships of countries which did not "grant reciprocity to the French Mercantile Marine." The French Government had communicated to the British Government its wish that the benefits of this law might be shared by British ships; but stated, that for this purpose it was necessary that the British Government should abolish those exemptions from local dues in respect of British ships which were still enjoyed by a small number of persons in our seaports. These exemptions were now very limited, and of infinitesimal value; and it had always been contended on our side that they were not, strictly speaking, any breach of reciprocity, inasmuch as the dues in question were not levied on French or foreign ships in particular, but also on British ships. The French, however, argued that that was not satisfactory to them, and that, in point of fact, an Englishman might gain an exemption from some of those dues, whereas a Frenchman never could. In that state of the case, it was thought by Her Majesty's Government desirable to extinguish the remaining exemptions of that character; and the French Government had very handsomely accepted the intimation of the Government's intention to submit a Bill to Parliament; and the Emperor, although he had re-imposed the restrictions upon American ships, abstained from doing so with regard to British ships, until he ascertained whether Parliament would pass the proposed Bill. The Bill provided that the local exemptions, which are now enjoyed by very few persons, should be abolished within a very limited time, and that compensation to the persons who enjoyed them should be made—not, of course, out of any Imperial or public funds, but out of those funds which would profit directly by their abolition—namely, the funds of the harbour or other trusts to which the dues in question were payable. The right hon. Baronet concluded by moving his Resolution.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for the Abolition of certain Exemptions from Local Dues on Shipping and on Goods carried in Ships.

Resolution *reported:* — Bill *ordered* to be brought in by Sir STAFFORD NORTHCOTE, Mr. CAVE, and Mr. HUNT.

Bill *presented,* and read the first time. [Bill 5.]

TRANSUBSTANTIATION, &c. DECLARATION ABOLITION BILL.

COMMITTEE. RESOLUTION. FIRST READING.

Transubstantiation, &c. Declaration Abolition *considered* in Committee.

(In the Committee.)

SIR COLMAN O'LOGHLEN rose to move—

"That the Chairman be directed to move the House, that leave be given to bring in a Bill to abolish a certain Declaration, commonly called the Declaration against Transubstantiation, Invocation of Saints, and the Sacrifice of the Mass as practised in the Church of Rome; and to render it unnecessary to take, make, or subscribe the same as a qualification for the exercise or enjoyment of any Civil Office, Franchise, or Right."

The hon. and learned Baronet said, that this Bill was almost identical with the one introduced by him last Session, and which the present Home Secretary intimated his desire to support. The Bill passed through all its stages in that House; but it was, unfortunately, thrown out in the other House in the month of July, as the noble Lord at the head of the Government objected to proceeding with it at the late period of the Session at which it came before the House, especially as it was expected that the Royal Commission appointed on the general subject would shortly make their Report, when a more comprehensive measure might be introduced this Session. He believed, however, that the Report had not yet appeared; and he was certainly unwilling that a Declaration, which was so objectionable to a vast number of his fellow-countrymen, should remain on the statute book, and he therefore now moved for leave to introduce the Bill. An additional reason for introducing it at this time was to be found in the reply which the right hon. Gentleman the Secretary of State for the Home Department had given to the hon. Member for Sheffield, intimating that the Government had no intention of introducing a Bill on the subject of Oaths this Session.

Resolution *moved,* That the Chairman be directed to move the House, that leave be given to bring in a Bill to abolish a certain Declaration, commonly called the Declaration against Transubstantiation, Invocation of Saints, and the sacrifice of the Mass as practised in the Church of Rome; and to render it unnecessary to take, make, or subscribe the same as a qualification for the exercise or enjoyment of any Civil Office, Franchise, or Right.—(*Sir Colman O'Loghlen.*)

MR. WALPOLE said, that the hon. and learned Baronet was perfectly right in stating that when he moved his Bill of last Session he offered to give him his humble support in passing it; for he had no hesitation in saying that, in his opinion, declarations with regard to solemn ceremonies of religion ought not to be made the test upon which offices should be allowed to be accepted or not. He was not prepared to retract a single word now that the further prosecution of the measure was proposed. With reference to the intentions of the Government, what he had stated, in answer to a question put by the hon. Member for Sheffield, was that the Commissioners appointed to inquire into the subject had not yet made their Report, and that until they had done so the Government could make no declaration as to what it would do on the subject. It was certainly not the intention of the Government to continue the unnecessary number of oaths now on the statute book, but they desired to wait for the Report of the Commissioners before they proposed any definite legislative measure on the subject.

Mr. NEWDEGATE was understood to express his regret at the intimation given by the Government that they were not prepared to offer any opposition to the Bill.

Mr. HADFIELD said, he should be glad to learn whether the Report of the Commissioners would be soon in the hands of Members of the House. He hoped that after it had been presented prompt action would be taken by the Government in relieving persons who had felt scruples of a religious or moral nature against taking oaths and declarations. He would be glad to know when the Report would be ready?

Mr. WALPOLE said, he and his noble Friend the Secretary of State for Foreign Affairs (Lord Stanley) were Members of the Oaths Commission; but upon taking Office in the Government they resigned, as they found they would not have time to attend to the duties of the Commission. Under these circumstances, he could not positively answer the question of the hon. Member as to when the Report would be presented, but he would cause inquiries to be made. He might say that before Christmas the Commissioners had made great progress, and he fully expected that the Report would be drawn up at no very distant period.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to abolish a certain Declaration, commonly called the Declaration against Transubstantiation, Invocation of Saints, and the Sacrifice of the Mass as practised in the Church of Rome; and to render it unnecessary to take, make, or subscribe the same as a qualification for the exercise or enjoyment of any Civil Office, Franchise, or Right.

Resolution *reported:* — Bill *ordered* to be brought in by Sir Colman O'Loghlen, Mr. Cogan, and Sir John Gray.

Bill *presented,* and read the first time. [Bill 6.]

OFFICES AND OATHS BILL.

COMMITTEE. RESOLUTION. FIRST READING.

Offices and Oaths *considered* in Committee.

(In the Committee.)

Sir COLMAN O'LOGHLEN rose to move—

"That the Chairman be directed to move the House, that leave be given to bring in a Bill to remove certain Religious Disabilities affecting some of Her Majesty's Subjects, and to amend the Law relating to Oaths of Office."

The hon. and learned Baronet said he did not wish to raise any discussion upon this occasion, as he thought it would be better to discuss the provisions of the Bill upon the second reading. The Bill which he now asked leave to introduce was one which he feared would not meet with the same general support as the last, and no doubt the hon. Member for North Warwickshire, and other hon. Members of the same opinions, would offer to it all the opposition in their power; but he nevertheless trusted to show to the House that it ought to be carried. When he introduced in the last Session his Bill for the abolition of the Declaration regarding Transubstantiation, he said that he had no intention to alter the existing law as to the qualifications for holding certain offices under Government, because he did not consider that such an attempt should be made indirectly or by a side-wind, but openly, so that the House might have a full knowledge of the object proposed. Accordingly he now asked for leave to introduce this Bill, the object of which was to remove certain religious disabilities and open to Roman Catholics certain offices now closed to them. He would remind the House that there were certain offices in Ireland which Roman Catholics could not hold in consequence of the enactments in the Emancipation Act of 1829, and amongst them were those of Lord Lieutenant and Lord Chancellor. The first clause of the Bill would enable Roman Catholics to hold the office of Lord Chancellor and the office of Lord Lieutenant of Ireland. In 1859 a Bill was introduced into this House by Lord Athlumney (then Sir William Somerville) and Mr. Herbert, to enable the Lord Chancellorship of Ireland to be held by Roman Catholics, and that Bill was supported by Lord Palmerston, Sir George Lewis, Mr. Cardwell, and other eminent Members of the House. But in consequence of the late period at which the Bill was introduced the opposition that was offered to it proved successful, and it was withdrawn. The Lord Chancellor of Ireland, unlike the Lord Chancellor of England, had no ecclesiastical patronage; in fact, he was no more than the highest equity Judge in that country, and there could be no reason why a Roman Catholic should not hold the office. The other office he proposed to open was that of the Lord Lieutenant of Ireland; nor could he understand why the Emancipation Act excluded Roman Catholics from it. A Roman Catholic might be the Chief Secretary for Ireland; he might be the Prime Minister of England; he might fill any of the Chief Secretaryships of State; but he was not allowed to be Lord Lieutenant of Ireland. It might be said that as the Lord Lieutenant represented Her Majesty—the representative of the Protestant Crown—he must be a Protestant; but it should be remembered that the Governor General of Canada, of India, or of any Australian colony, or of any other dependency of the Crown, might be a Roman Catholic. It was difficult, therefore, to argue with any consistency that a Roman Catholic was disqualified from properly representing Her Majesty in Ireland. It was true that the Lord Lieutenant of Ireland enjoyed a good deal of ecclesiastical patronage; but in the event of the office being filled by a Roman Catholic, that patronage could be dispensed by some other person; just as, he presumed, that if the Prime Minister of England were of the Roman Catholic persuasion he would not interfere with the filling up of vacancies in the episcopal bench. The Secretary of State for the Home Department enjoyed large ecclesiastical patronage in Scotland, yet a Roman Catholic could fill the office, though in such a case he would not dispense this particular branch of the patronage attaching to his office. All that he sought by the Bill was to place all the subjects of Her Majesty on perfect religious equality. He did not desire to provide that the Lord Lieutenant or the Lord Chancellor of Ireland should be a Roman Catholic, but only that he might be, if an occasion should arise when it appeared convenient, to give the appointment to a gentleman or nobleman of that persuasion. The next clause of the Bill had for its object to repeal what he must consider as a most miserable clause in the Emancipation Act of 1829—namely, the clause that prevented mayors and other corporate officers who might be Roman Catholics from attending Divine worship in their robes of office, and Judges who might be Roman Catholics from attending Divine worship in their official robes. This enactment was naturally the occasion of ill-feeling in Ireland. It was, in fact, saying that the mayor of a town might be a Roman Catholic, but his robe and chain of office must be Protestant; or a Judge might believe in transubstantiation, but his wig and his gown must agree in the orthodoxy of the Thirty-nine Articles. The time had come when they should put an end to these miserable remnants of the past. When a Protestant mayor was elected for Dublin he went in state to Christ's Church; but when a Roman Catholic was elected, he could not go in state to his place of worship. The third and last provision of the Bill related to the abolition of certain oaths. The House was aware that last Session the Catholic oath question was finally settled, and a uniform oath was adopted, which every Member of Parliament must take in future when he took his seat. But the only persons relieved from what the Legislature proclaimed last Session to be an offensive oath were Members of Parliamont; and the old oath had still to be taken by members of corporations, magistrates, professional men, and others in Ireland. What he desired by the third clause was to provide that the oath adopted last Session by the House should be the only one to be used for the future in all cases. These were the simple provisions of the Bill, and he would repeat that he did not wish to raise any discussion upon them at present. He trusted that when the House came to consider the Bill they would see that he asked nothing which was not perfectly reasonable and just.

Resolution *moved*, That the Chairman be directed to move the House, that leave be given to bring in a Bill to remove certain Religious Disabilities affecting some of Her Majesty's subjects, and to amend the Law relating to Oaths of Office. —(*Sir Colman O'Loghlen.*)

MR. NEWDEGATE said, he thought that this second Bill very clearly explained the object of the last Bill which the hon. Member had introduced. The Bill for the Abolition of the Declaration regarding Transubstantiation passed that House last Session on the ground that the declaration was simply offensive to Roman Catholics, though he, Mr. Whiteside, and some other hon. Members had endeavoured to impress upon the House that it was merely a disguise for a political object. The other House was, he believed, of that opinion, and rejected the Bill. The proposal before the House was that any office in Ireland might be filled by a Roman Catholic. Though ours was a Protestant monarchy, yet it was proposed that the office of Lord Lieutenant in Ireland—which represented the Queen—

might be filled by a Roman Catholic. He would remind the Government that the Protestant subjects of this country attached great importance to the fact that the Crown stood limited to Protestants. That was settled at the Revolution, and was considered by their ancestors, and had ever since been considered, to be one of the safeguards of the country. Their experience taught them that that limitation had proved salutary and wise, and the wisdom of this limitation was exhibited in the increasing prosperity of the country. The hon. and learned Baronet said the dependencies of this country might be presided over by Roman Catholics as Governors. He (Mr. Newdegate) believed that there had been instances of that kind; but did the hon. Member mean to say that Ireland was a dependency? He (Mr. Newdegate) thought Ireland was part of the United Kingdom. The hon. and learned Baronet seemed to think that the liberality of the House ought to have no bounds, for year after year these demands were increased. He did not desire on that occasion to enter at large into the question; but he trusted that the Government would remember that they had been hitherto supported by the Church of England and the Protestant opinion of the country, and if they desired hereafter to have that support, they must, at all events, be ready to guard the Protestantism of the Crown, and be ready to secure that Her Majesty should not in the United Kingdom be directly represented by a Roman Catholic. He was willing to grant to his Roman Catholic fellow-subjects everything that could be granted consistently with what experience had shown to be necessary for the maintenance of the freedom of their own religion as well as of ours. The House would do well to consider how this proposal would be looked upon by foreigners who have more experience of Ultramontane tactics than we have in England. Count Montalembert, in writing the *Political Future of England*, urged the Roman Catholics of this country and their priesthood to claim, upon the ground of religious equality, admission to every office, and in making this recommendation, he added, "that under a free Government more than under any other form of Government, if you urge this plea and persevere in it, nothing can resist your power." If the Roman Catholic religion were dissevered from the political system, with which it was connected, the objections which he entertained would not possess one-half their force. But the experience of the whole of Europe at the present day showed that the Papacy was the centre and instrument of a powerful political propagandism, which in too many countries had proved itself revolutionary, and it was but the other day that extracts were published in this country from a most important document—he referred to the despatch of Prince Gortschakoff explaining the grounds of the abandonment of the Concordat between the Imperial Government and the Holy See—the Concordat of 1847; and connected with that despatch documents showing that, so far as was consistent with the safety of the State, the Russian Government had on several marked occasions made all possible concessions to the Roman Catholics, and had granted them complete security for their religious institutions and property. The result of these concessions had been witnessed in several insurrections, and at last a most bloody civil war in Poland, directly sanctioned by the Papacy. It was his intention to ask the noble Lord at the head of the Foreign Department to lay that important document upon the table of the House, for he (Mr. Newdegate) had long noticed a parallel between the policy of the Papacy in Ireland and the policy of the Papacy in Poland, which could not be mistaken. The effect, however, of that policy in Ireland had been less violent, owing to the wiser government of Ireland by England. But still there was an analogy between the position of the people of Ireland and the position of the people of Poland, inasmuch as they were of the Roman Catholic religion to a great extent, and when it was proposed to sweep away the last vestige in Ireland of the fact that the Sovereignty of England was Protestant, it was high time that the House should look abroad; should not regard the subject in a narrow spirit; should not be deluded into the belief that we were merely making concessions to religious scruples when it was evident that these concessions would encourage a deep and wide-spread conspiracy.

Captain HERBERT supported the Motion. He thought it quite time that all such invidious distinctions founded on religious differences should cease. He drew attention to the fact that no Irishman or Papist was allowed to enter the Guards. How could they, when there was such a talk about friendship for the Irish people, maintain such exclusions? Why should not Irishmen be in the Guards? Or, rather, why should not Ireland have a regiment of Guards as well as Scotland? He thanked his hon. Friend for having introduced this subject.

MR. HADFIELD remarked that the comments of the hon. Member for North Warwickshire (Mr. Newdegate), were based on the Church Establishment; but it was evident that there was at the present time a very uneasy feeling in the public mind relative to what was going on in the Church Establishment. Had the hon. Gentleman ever considered what had been stated, though not in his place in the House of Lords, by the Earl of Shaftesbury; had he reflected on the apathy shown by a Protestant Chancellor and thirty Bishops in the House of Lords with regard to this question? The fact was that they merely stood by and did nothing, leaving it to take its chance. He believed that there existed amongst all classes a cordial attachment to the Throne of this country, and was surprised at the course so often taken by the hon. Member for North Warwickshire. That hon. Gentleman had for eight years fought a Bill which merely proposed to remove a declaration which the Leader of the Conservative party declared to be not worth the paper on which it was printed so far as regarded the protection of the Church of England. That declaration was at last repealed, and he trusted that many of the childish declarations and difficulties which in former times had arisen from events very different to those of the present day would be removed, and that the day would soon arrive when no man would be known but in respect of the excellence of his character and his desire to promote the interests of the country.

MR. WHALLEY said, he felt he could add nothing to what had fallen from the hon. Member for North Warwickshire (Mr. Newdegate), who, he was happy to see, had resumed the position he had occupied for so many years upon this subject. He must, however, express his amazement at the observations which had fallen from the hon. Member for Sheffield, whose presumption was beyond conception, because he would insist upon it that the various protections which existed were frivolous and unnecessary. The opinion which the hon. Gentleman had expressed appeared to be so chronic, so engraven in his mind, that he did not appear to remember what had been said by the hon. Member for North Warwickshire. Whatever might have been the course pursued by that hon. Gentleman for the last eight years the question now was not a question of religion, but whether it was or not a fact that, associated with the religious views professed by Roman Catholics, there were certain political opinions, which in all ages, and in all countries—and never more than at the present moment—were inconsistent with independence and with every principle of civil and religious freedom. The hon. Member for Sheffield appeared to have overlooked that fact, and to insist that all the precautions which our ancestors had framed and devised were frivolous and vexatious. He must also remind the House that if the question were decided according to the views of the hon. and learned Baronet they would be acting wholly without Parliamentary precedent. They had refused an inquiry, and adopted the sentiment of the hon. Member for Sheffield, that this was simply a question of religious scruple, which he firmly maintained it was not. He (Mr. Whalley) had been cried down in a former Session for asserting that the Fenian conspiracy had been originated in the interests of the Roman Catholic hierarchy; but if the House would grant a Committee to investigate the subject he was prepared to reiterate that assertion, and to prove it upon evidence as reasonable as the nature of the case admitted. From 1862 till very recently the treasonable organization had been sustained by the same power that gave it birth; and then, as in the case of all other Irish rebellions, when it had served its purpose, it was allowed to drop, the Roman Catholic hierarchy saying, "We will go no further in this business at the present time." Just as the Fenian pikes recently discovered were found carefully oiled and greased, and evidently laid by for a better opportunity, so the Fenian organization was put out of sight to be revived at some future period. The case of Ireland was almost identical with that of New Zealand. And, perhaps, the able and gallant General, now at the head of the War Department, would hereafter speak out and tell the House how it came to pass that 10,000 British soldiers were unable to put down 5,000 natives in insurrection, who were quelled by the colonists as soon as the soldiers were withdrawn. [*Cries of* "Question!"] If the House were enlightened upon the point, it would be found that the rebellion had been fomented by the Roman Catholic priests and persons professing the Roman Catholic religion.

Motion *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to remove certain Religious Disabilities affecting some of Her Majesty's subjects, and to amend the Law relating to Oaths of Office.

Resolution *reported:* — Bill *ordered* to be brought in by Sir COLMAN O'LOGHLEN, Mr. COGAN, and Sir JOHN GRAY.

Bill *presented,* and read the first time. [Bill 7.]

KITCHEN AND REFRESHMENT ROOMS (HOUSE OF COMMONS.)

Standing Committee *appointed* and *nominated,* "to control the arrangements of the Kitchen and Refreshment Rooms, in the department of the Serjeant at Arms attending this House:"—Colonel FRENCH, Lord ROBERT MONTAGU, Mr. DALGLISH, Mr. ONSLOW, Mr. ADAM, General DUNNE, Mr. Alderman LAWRENCE, Mr. ROBERTSON, and Captain J. C. W. VIVIAN:—Three to be the quorum.

House adjourned at half after Seven o'clock.

* * *

HOUSE OF LORDS,

Friday, February 8, 1867.

MINUTES.]—*Sat First in Parliament*—The Lord Tyrone after the Death of his Father.

PRIVILEGE.—MR. R. S. FRANCE.

LORD REDESDALE said, he was sorry to have to call the attention of their Lordships to a matter personal to himself, which, however, he should not have brought before them had it not involved the privileges of their Lordships' House. He had received a pamphlet written by Mr. France, a railway contractor, which, purporting to give a review of his conduct as regarded a certain Railway Bill during its progress through the Legislature, not only canvassed his opinions, but also made some reflections upon him as Chairman of Committees. He had no objection to having his opinions canvassed by any one; but Mr. France went further, and boldly stated that he would deal with the noble Lord in his judicial capacity. Remarking that he was the contractor of the Mold and Denbigh Railway, he charged him (Lord Redesdale) with having come to an unwarrantable decision with reference to a Bill in which that railway was concerned, and with having inserted a clause in another Bill relating to the same railway. He (Lord Redesdale) was unable to understand how Mr. France could have confused matters as he had done; but it was much to be regretted that the circumstantial nature of his pamphlet gave it all the appearance of truth, while, as a matter of fact, it was false from beginning to end. He intended to draw Mr. France's attention to the matter by letter, and leave him to take what course he pleased; but unless he received from him a complete retractation of all the charges he had made against him, he should think it his duty, in the course of next week, to ask their Lordships to order Mr. France to the Bar of the House.

HER MAJESTY'S ANSWER TO THE ADDRESS.

HER MAJESTY'S Answer to the Address, *reported* as follows:—

"*My Lords,*

"I THANK you sincerely for your loyal and dutiful Address.

"YOU may be assured that I shall always be ready to co-operate with you in all Measures which have for their Object the Improvements of the Laws and Institutions of the Country, and the Promotion of the Welfare and Happiness of My People."

Address and Answer to be *printed* and published.

ROYAL NAVY.

MOTION FOR RETURNS.

THE DUKE OF SOMERSET, in *moving* for certain Returns respecting the Royal Navy, said: My Lords, I have thought it right to bring forward this Motion, because there has been, as it appears to me, a great misconception throughout the country as to the state in which the navy has been left by the late Government. I do not know whether I can ascribe that opinion to a few words which fell from the present First Lord of the Admiralty (Sir John Pakington) in another place at the end of last Session; but certainly the notion has spread until it has been stated in different parts of the country, and has been repeated for many months, that we have at the present moment no sufficient number of vessels for naval purposes, and that the country was left by the late Government without efficient protection so far as our navy is concerned, although there has been during the last six years a large expenditure devoted to that portion of the public service, amounting to between £65,000,000 and £70,000,000. Such at least has been the impression. Your Lordships will therefore see that it is desirable that no opportunity should be lost of calling for Returns showing what has really been done in the way of building ships during the six years that the late Government was in Office. As many ships, I believe, have at least been constructed during that period as during any other six years of peace. In those six years we built 140 vessels of different kinds. That is a considerable amount of shipbuilding. Not only have we done this, but it should be remembered that our path has been beset by difficulties. Great changes have taken place in construction both as regards iron and wooden ships, and much difference of opinion has existed as to the amount of plating which should be applied to the different classes of new ships. While the transition in all departments was so great, the Board of Admiralty over which I presided felt a great responsibility rested upon them in regard to the expenditure which should be incurred. On the one hand, we felt it desirable to do all we could to keep up the navy in a state of efficiency; and on the other, we recognised the folly of building a vast number of ships which might be useful at the moment, but which would certainly be superseded in the course of a few years. I think we acted wisely in not building ships faster, because ironclads are a very expensive description of vessel, and new experiments and improvements were being constantly made with reference to size, armament, and sheathing. It was almost impossible to provide a very good fleet while these experiments were proceeding, or to collect a number of vessels and bring them to act together, as we might have done if greater uniformity prevailed among them. In fact, if any opinion was to have been given on our conduct, I thought that opinion would have been that we had done too much rather than too little in the way of shipbuilding. I had not only to determine what we should do, but to judge of the probable consequences hereafter. When I first came into Office we had not a single iron-clad vessel. We now possess thirty-three, many of them of great size. During a time of rapid progress in the art of shipbuilding it is almost impossible to construct a satisfactory fleet, because every new ship possesses improvements which render it superior to its predecessor. At the same time, it would have evinced great negligence of the true interests of the country to have adhered to the pattern of the first ship. The *Warrior*, for instance, was a very fine vessel at the time of its construction, but in the course of a few years it has become comparatively inferior to many others that have been since built. Neither the offensive nor the defensive qualities of that vessel are as good as we could wish. I was anxious, as far as possible, to anticipate the wants of the country a few years hence, and I think that we certainly have made considerable progress. I believe that, on the whole, there is no ground for dissatisfaction with the vessels that have been built. I have reason to believe that the opinions of the distinguished officers of the Channel fleet are favourable; and when, as at Cherbourg, the merits of our vessels have been compared with those of other nations, the general opinion was that we had no reason to be dissatisfied with the vessels we possessed. I cannot see, therefore, that there is anything to blame as far as the construction of our iron-clad ships is concerned. Then again, as regards the wooden vessels, in the early part of my administration—namely, from 1860 to 1862 or 1863—we did not know the gun which these vessels would have to carry. Unless you know what gun a vessel has to carry you are working a great deal in the dark, and it was clear that our ships would eventually carry a much larger gun than was then employed. The demands of the service, too, compelled us to repair and employ many of our old vessels, and this could only be done at a considerable cost. Upon these grounds, therefore, the number of vessels built was, I believe, as great as it should have been. I may, perhaps, now make a few observations on another point — the question of expenditure. It seems to have been supposed in many quarters that the whole of the £70,000,000 voted for the navy was applicable to the purposes of shipbuilding. Now, any such notion as that is a great misapprehension. The amount really expended in dockyards during those six years, not including vessels built by contract, would be about £10,000,000; but a great proportion of that sum has been expended in the repair and outfit of vessels already constructed. The proportion spent in building would be less certainly than half of the £10,000,000. We also built by contract vessels at an expense of about £7,000,000. This sum — namely, £7,000,000 — with about £3,000,000 or £4,000,000 expended in the dockyards, would represent, I believe, the whole of our expenditure on shipbuilding. It has been charged against us that we were proceeding on a wrong principle. It must, however, be remembered that we were passing through a period of transition, when our progress had to be guided by experiment. Great praise had been lavished on vessels built in private yards, and their merits were extolled at the expense of those constructed in the Government yards. We were constantly warned that our ships as then constructed were of no use, and were told that the turret principle was the one which ought to be adopted. Reasons, of which the House is aware, induced the Admiralty to purchase a couple of turret vessels which were lying in the Mersey. Before we bought them, those by whom they were visited brought away flaming accounts of their excellent qualities—it was said that they were capable of destroying the whole fleet—but no sooner did they come into our possession than every one found fault with them. No doubt they are good vessels for coast defence; but the discomfort to the officers and men are so great that it soon became evident they were not fit vessels to send to sea. I paid them a visit, and, although the officers treated the matter with the good temper and good humour which usually characterize the officers of the navy, it was evident that there was a considerable amount of discomfort, and that if turret ships were adopted they ought not to be constructed according to that pattern. At another time we were told that we ought to imitate exactly vessels that were being built in America; and before the arrival of the *Miantonomoh* we were continually being asked why we did not build an impregnable vessel, whose sides should be but little above the level of the water, of great speed, carrying one or two heavy guns, and requiring but few men for her management. I was very glad when that vessel arrived at these shores, because it at once became apparent to every one conversant with the subject that it was impossible to make a crew comfortable on board such a ship. The ventilation depended entirely on the steam-engine, and the crew of the *Miantonomoh* were not only exposed to every discomfort, but they were liable to be smothered in the event of anything happening to the ventilating engine so as to prevent its working for a few minutes. I was informed by one of the officers on board that ship that on one occasion the engine had been stopped accidentally for a short time, and that the crew were scarcely able to breathe until it was set to work again. It was evident that it would have been impossible to send such a ship on a three years' cruise to any part of the world; and therefore vessels of this description, however well fitted for coast defence, would not be applicable to the general purposes of the British Navy. With regard to any general reduction in the expenditure upon the navy, I may remark that out of the £70,000,000 there were at least £40,000,000 expended upon objects with which no Board of Admiralty could interfere. With regard to the accounts, I can only say that I was very anxious that the most strictly accurate accounts should be kept in the dockyards. An enormous expenditure was incurred in those establishments in consequence of converting sailing vessels into steamers and wooden ships into iron-clads—the latter process involving the erection of very costly machinery for bending, planing, drilling, and otherwise working plates of iron six inches thick. I was very anxious, taking into consideration the vast and annually increasing expenditure in the dockyards, that a good system of keeping accounts should be introduced into those Departments; and accordingly in 1860 I consulted upon the matter with the late Sir Richard Bromley, who was well acquainted with the subject, and it was with his assistance that what are called "the Expense Accounts" were established, and an officer was appointed in each dockyard to audit the accounts. I believe, from what I have heard, that upon the whole the accounts are in a state of gradual improvement; and although I am not prepared to say that they may not be yet further improved, I am convinced that they are established upon a sound and good system. It was, however, objected in the House of Commons, and in the public newspapers, that our accounts were of no use, as it was not possible to ascertain from them the total cost of any particular vessel, so that the expenditure upon it might be contrasted with the price of a similar vessel built in a private yard. It was said that we ought to prepare a complete balance sheet like any private firm, showing the cost of each individual vessel, and that every expense in connection with each dockyard must be carried into account, and a balance struck in the same way as would be done in a private concern. I doubted whether such a system would not lead to confusion; but as the Board of Admiralty were anxious to meet the wishes of many Members of the House of Commons, we tried to do what was desired. It was necessary to take all the expenditure of each dockyard and to apportion it amongst the different vessels built or repaired there. At Portsmouth the expenditure on lectures and schools and a necessarily expensive police ran up the expense enormously, and when the accounts were placed before the House of Commons the remark was made—"Look at the enormous sums which your ships cost!" and it was alleged that ships built at Portsmouth cost a great deal more than they did in private yards. But was it fair to compare the expenses of public with those of private establishments of this kind? It was not possible to institute such a comparison without prejudicing the former. The object of our national dockyards is not merely to build ships quickly and cheaply, but to have great resources for their repair in time of war. To ensure that, you must have a large supply of machinery, a good deal of which will in time of peace be idle, and the idleness of which will prevent the manufacture being carried on economically. We were constantly told in 1863 that we ought to copy commercial men, who managed their affairs much better than we did; and one distinguished Member of the House of Commons, Sir Morton Peto, said, "Look at my firm; we have larger stores than the Admiralty. We have £17,000,000 dispersed all over the world, but we take stock constantly, and our accounts cause us no difficulty." I do not know whether the public would now repeat the advice which was then so frequently offered by the newspapers, more especially whether they would set up the example of Peto and Co. These were not the only subjects of accusation against us. Considering the smallness of the amount involved, a great deal has been said respecting the iron ballast which has been used to pave some portions of the dockyards. During the last twenty years a quantity of iron ballast has been from time to time taken out of sailing ships, and, as it was not required in steamers, the weight of whose engines obviated the necessity for ballast, it was piled up in various parts of the yards, where it occasioned a good deal of inconvenience. At Chatham a little of it was sold, but the purchaser afterwards found that it would not answer his purpose, and declined to take any more, and a similar attempt to dispose of it at Plymouth entirely failed. Long before I came into the Admiralty a quantity of this ballast had been used for paving the yards, and finding the piles of iron continually in the way, after vainly endeavouring to sell it, we continued to use it for paving as it was wanted. There is still, however, a large quantity piled up in some of the dockyards. Since it has been laid down it has proved of great service in facilitating the heavy traffic of the yards. It has, I hear, now turned out to be very valuable in a commercial point of view, and has been sold for an enormous sum. I am very glad to hear that such is the case, and all that has to be done is to take it up. I myself did not know how to sell it. Perhaps I did not know how to advertise it. Now, however, it had been admirably advertised; for when you want anything advertised you can find no better place in the world than the House of Commons in which to advertise it. I may remind the present Government that there are a number of old-fashioned cannon balls at Woolwich, which they might do well to advertise also, as, if old cast iron be so valuable, they would probably bring in a good round sum. These are samples of the accusations that have been made against the late Admiralty. I should have no fear of submitting their proceedings to the judgment of any Committee whatever, whether as regards the men or the building and repairing of ships. With regard to the subject of manning the navy, I may inform your Lordships that when the noble Earl (the Earl of Derby) was last in Office, a Commission, of which Lord Hardwicke was Chairman, was appointed to take this question into consideration. When we succeeded to Office, the Board of Admiralty adopted the Report of that Commission, and dealt with many of its recommendations. We established training ships for boys, and improved in many ways the condition of the seamen, in accordance with the recommendations contained in that Report, and our measures were attended with great success. We had no difficulty in getting boys for the navy. It was said, why did we not take the pickpockets and idle boys off the streets of London and educate them for the navy —it was said they would make admirable sailors. Why, we did not want them. We had no difficulty in getting well-behaved lads who were educated for the purpose, and as for men, thanks to the continuance-service men and the lads for the training ships, our ships for the last four years when they have been commissioned have never had to wait for men. The training ships were established on a good system, the receiving ships were also very much improved, and the men on returning from leave went on board and remained there till they are wanted again. Of course, all this occasioned considerable expense, for the comforts of the men were increased. Then, as to the Reserve, we were told it was most important that such a body should be formed, and especially with a view to getting up a friendly feeling between the Mercantile Marine and the Royal Navy. We established the Reserve. This Reserve now contains 16,000 men, and the result certainly has been the creation of a very friendly feeling between the Mercantile Marine and the Royal Navy. Indeed, I believe that the good understanding between them was never better than at the present moment. In this respect we only carried into effect the recommendations of the Commission, and we carried out those recommendations as far as we could. We did not carry them all out, because that would have involved very considerable expense; and, considering that we were spending £5,000,000 or £6,000,000 annually upon the men for the navy and the Reserve, we did not think it advisable to go into further expense on that head. Then, as to docks and basins, we thought it quite necessary that increased docks and basins should be formed, and we added very considerably to our dock accommodation. When we came into Office there was no dock capable of receiving the *Warrior*. We enlarged one of the docks at Portsmouth, so as to fit it for the accommodation of that vessel. We improved and enlarged other docks both there, at Plymouth, and at other ports, and prepared a plan for the construction of new docks at Chatham and at Portsmouth, the carrying out of which would involve the expenditure of a very considerable sum of money. I had myself seen what had been done by France at Toulon, by Italy, and by other Powers; and I was of opinion that we ought to lose no time in adding to our dock and basin accommodation—an opinion which was concurred in by a Committee of the House of Commons, which approved the plans submitted to it by the Board. Therefore, my Lords, I think that as regards men, and docks and basins, we did all that we ought to have done under the circumstances. It would have been unreasonable to go further, because the expenditure of those years was very large. We were obliged to increase our Estimates to meet the demands of the China war, and when we are carrying on a war at a distance of 15,000 miles it is desirable to place such a force in the hands of the Commander-in-Chief as shall enable him to bring that war to a close. That is the best economy, and we succeeded in it. I believe the great force we had in China was the means of bringing that war so speedily to a termination, and convinced the Chinese of the futility of any longer continuing the struggle against England and France. From 1860 till last year we have gone on somewhat reducing our Estimates. For my own part, I never desired to take a larger sum on the annual Estimates than necessary for the maintenance of such a force and for the construction of such vessels as were required for immediate service. While the navy is in a state of transition, I adhere to that opinion. At the same time, I am ready to admit that on this subject you must deal with matters as they are at the time, and as foreign politics may appear to require. That is a question for the Cabinet and not for the Admiralty. What the Board of Admiralty has to do is to maintain such a force as would be sufficient for the purposes required. In regard to the future, I do not expect there will be any great reduction in the Estimates unless there is a reduction of force. I can see no means of making a great reduction of expense without reducing the number of men, and as it is generally admitted that we must have a large fleet I do not imagine there will be any great reduction in the number of men. With respect to guns, I hope our three heavy guns of 6 tons, 9 tons, and 12 tons weight will prove useful and serviceable weapons wherewith to arm our vessels of war. These, my Lords, are the grounds on which I defend the policy which the late Board of Admiralty followed. I think we went as far in shipbuilding as we were entitled to do, and as to the position of the men and the general condition of the navy, we improved both; although, like all human institutions, the navy is, no doubt, capable of still further improvement. I have not said one word on the patronage of the Admiralty, because no appointments made by me have been ever attacked. There was one appointment, indeed, to which objection was made; that was the appointment of Mr. Reed as Chief Constructor of the Navy. That appointment, of which I am ready to undertake the full responsibility, I made under circumstances that rendered it absolutely necessary. It was necessary to build vessels plated round the water-line, and capable of carrying very heavy armaments; and we asked the department of the Controller to produce lines for certain vessels with proper flotation; but they could only produce them 400 feet long. I was convinced that there must be means of obtaining shorter vessels with the necessary flotation, and I therefore resolved to bring in a new person, and charge him with their construction. I afterwards received from some of the best authorities on the subject of iron construction a report in which they expressed their approval of the skill and ability with which an iron vessel had been put together in one of our dockyards. So far I am justified in the appointment of Mr. Reed, and I hope that the present Board of Admiralty may be equally fortunate in any appointment they may make. Without detaining your Lordships further, I shall now move that there be laid before this House—

> "Return of the Number of Ships added to the Royal Navy by building or purchase, stating the Tonnage of each Vessel, from the Year 1860 to 1865 inclusive."—(*The Duke of Somerset.*)

THE EARL OF DERBY: My Lords—Considering the many observations which have been made in certain quarters on the naval administration of the noble Duke, I cannot be at all surprised that he desires to take the earliest opportunity of bringing before your Lordships the state of the navy, and submitting to your Lordships an abstract, at least, of a certain blue-covered pamphlet—with which I believe the noble Duke to be tolerably familiar—written in vindication of the policy which the noble Duke pursued at the Admiralty. Certainly, my Lords, I have no cause to complain of the course which the noble Duke has taken in the vindication—in many respects unnecessary vindication—of his administration of the navy, still less so because, in vindicating his own economical arrangements with regard to the navy, he has laid the ground for future vindication of his successors against any attack of an excess of expenditure arising from circumstances and the progress of events such as the noble Duke has detailed to your Lordships. My Lords, I regret the less my inability to follow the noble Duke through the elaborate details into which he has entered, because I am very far from sharing in the condemnation which has been passed very freely on many portions of the noble Duke's administration. On the contrary, I always believed that the noble Duke was, in the administration of his office, an active, industrious, energetic Minister. I believe, moreover, that the noble Duke brought to the administration of his office a thorough and entire honesty of intention and purpose; and I should be the last man to deny that during the course of the noble Duke's seven years' administration there were many improvements introduced into the system of the navy—improvements of which the more merit belongs to him, because during the whole of that period, as regards ships and guns, the service was in course of transition, which rendered it more difficult for him to deal with the subject; and I should not have thought it necessary to trouble your Lordships with any observations if it had not been for a single remark the noble Duke made at the commencement of his observations, in which he referred to a speech made by a right hon. Friend of mine, the present First Lord of the Admiralty (Sir John Pakington), very soon after he entered on office, with regard to the state of the Navy Reserve. I am sure the noble Duke will do my right hon. Friend the justice to say that during the whole of his administration he never met from him with any factious opposition, or anything but a cordial desire to support the measures which he introduced for the benefit of the navy, and approval of the expenditure which they rendered necessary. Very shortly after my right hon. Friend succeeded to the office of First Lord of the Admiralty a question was asked in the House of Commons as to the state of the Navy Reserve; and my right hon. Friend was obliged to say, in answer, that he regretted to state that he did not find the Navy Reserve in a satisfactory condition, or, indeed, in such a state as he had a right to find them—so much so, that the Admiralty had a difficulty in finding relief for the ships that return from foreign service. If my right hon. Friend wanted any justification for the statement it is to be found in the Report, with which the noble Duke must be more familiar than most of your Lordships. The Report is dated February, 1866; and upon this very point of the insufficiency of the Reserve the Report states—

> "The same necessity for employing small vessels would, I apprehend, exist in a future war, and in peace time they are indispensable. And how do we stand? In the last two years there have been lost to the service—paddle-steamers, thirty; screw-steamers, twenty-two; and in the same period fifty-one gunboats have been removed from the navy. To replace these a very few small vessels, already on the stocks, are being completed, and seven of the *Amazon* class are building. In the meantime, our reserve is inadequate to supply the ordinary reliefs on foreign stations, and should an extra vessel be anywhere required we have not one disposable."

The *Amazon,* as your Lordships will recollect, is the unfortunate vessel which has since been destroyed by accident. That is the Report, not of a hostile Committee, of the noble Duke's first Naval Lord of the Admiralty, Sir Frederick Grey, at the commencement of the Session of 1866. Consequently, my right hon. Friend the present First Lord of the Admiralty was obliged to say, in answer to a Question put to him in the House of Commons, and not bringing the matter forward in the way of accusation, that the state of the Reserve was not satisfactory, for, according to the language of a member of the preceding Board of Admiralty, the Reserve was not sufficient for the ordinary reliefs on foreign stations, and if one extra vessel were required, there was not one disposable. My right hon. Friend did not put this forward as a charge against the noble Duke; but the Report I have referred to is a complete vindication of the statement which my right hon. Friend could not but make in giving a plain and honest answer to the Question put to him. I need not say I have no objection to furnish the noble Duke with the Returns he asks for, but I would suggest to him that there should be some slight alteration in the form of the Return. The noble Duke, in the latter part of his speech, said he wished for a Return of the number of ships added to the navy, by building or purchase, in each year from 1860 to 1865, and I propose to insert the words "in each year" in the Motion. I hope, too, that the noble Duke will carry the Return down to 1866; for, though the noble Duke is not responsible for the last half year of 1859, as the Estimates were then of his predecessors, he is responsible for the whole of 1866, for which the Estimates were brought forward by his Government. The Return in that form wlll give a complete detail of the whole number added in each year, and I think this alteration will be necessary in order to make it a complete Return of the state of the navy, as the noble Duke found it, and left it. It is not sufficient to make a Return of the additions made to the navy during that period; we ought to have a corresponding Return of the various vessels withdrawn, sold, lost, or otherwise disposed of within the same period. That will give exactly what the noble Duke requires. The reason why I lay stress on obtaining accounts of each separate year is because I find an extraordinary discrepancy in the amounts of the Estimates for the years in question. I confine my observations entirely to the building of vessels by contract, and I find that in the first five years of the noble Duke's administration of the navy, very large sums were taken; but it is a matter open to question whether in the last two years out of the seven of the noble Duke's administration, sufficient pains were taken by the Admiralty to keep up the stock of vessels of a description fitted for war. The variation in the Estimates is remarkable. For 1860-1 the amount for building by contract was £1,478,000; for 1861-2 it was £1,621,000; for 1862-3 it was £1,470,000; for 1863-4 it was £867,000; for 1864-5 it was £882,000; for 1865-6 it was £564,000; and for 1867 it was only £318,000. In these two last years the Estimates fall very far below the Estimates for building in the previous years. In 1865-6 the Estimate for an iron-clad vessel was £120,000, but no work was done in that respect, and the money was returned to the Exchequer; and out of the Estimate of £318,000 taken in the last year only £67,000 were expended for new ships. All this time foreign countries, and especially France, were rapidly increasing their navies, and we are told in the Report I have quoted that during the same period no less than fifty-two steamers and fifty-one gunboats were lost to the service. I think, therefore, it is important to see how far the Estimates of the two last years were sufficient to supply the deficiencies occasioned by the ordinary wear and tear of the service. The noble Duke says that the Estimates of the navy depend on the number of men, and that is true to a great extent. The noble Duke added that the Estimates do not depend on the First Lord of the Admiralty; and I can readily imagine that the noble Duke found that during the last years of his administration a very considerable difference of opinion prevailed between the Treasury and the Board of Admiralty with respect to the amount necessary to provide for keeping up the strength of the navy; but I should think there can be no doubt as to the desirableness of replacing the large number of ships that have been withdrawn. Having made these observations in vindication of my right hon. Friend against any supposition that he made a charge against the noble Duke, I can only say that I have listened with great satisfaction to the observations of the noble Duke, and have not the slightest objection to furnish the Returns in the form I have suggested—indeed, I think they will be of very great service.

THE DUKE OF SOMERSET: I have no objection to the addition suggested by the noble Earl in regard to the vessels which have been done away with and disposed of in various ways; but I think it is desirable to state the class to which they belonged, because a mere list of numbers, without stating the character of the ships withdrawn, would be perfectly useless. I cannot suppose for a moment that the noble Earl will argue in favour of restoring the wooden line-of-battle ships withdrawn in 1859. We had no iron-clad fleet before that time, and therefore no comparison of numbers can afford a fair estimate of the strength of the navy at the two different periods. I presume, also, that notice will be taken, in reference to the expenditure referred to, of the vessels that have been built by contract. For my part, I have latterly wished, whenever an entirely new model is adopted, that the vessel should be constructed in a Government dockyard, for the simple reason that when a vessel is built by contract, we are absolutely bound by the specifications, and in the event of any alteration being required during the building, it is always attended not only with great expense, but with no end of delay. Within the last two years a heavy expense has been incurred in making the small changes and improvements in the class of vessels referred to by the noble Earl.

THE EARL OF DERBY: I agree with the noble Duke that a mere Return of numbers will not give the required information unless the different classes of ships are specified. I also think that the Returns should show as fully as possible not only the vessels which have been sold and otherwise lost in the service, but the alterations that have been made in the different classes of vessels. I hope the noble Duke will not think that I would object to the disposing of old and obsolete vessels. On the contrary, I am of opinion that as soon as it becomes manifest that a ship is no longer serviceable, it should be at once referred to an inspector, so as not to incur any additional or unnecessary expense in maintaining a vessel that is no longer useful.

EARL GREY said, the last observation made by the noble Earl (the Earl of Derby) induced him to express a hope that the construction of the navy was a matter in which the Government would not proceed too fast. Their Lordships must remember that in the Queen's Speech of 1859, Parliament was informed that a large Vote would be asked for the re-construction of the navy. That Vote was explained to be required in consequence of our wooden steam-ships of the line having fallen much below the required state of efficiency. In the debate that followed he (Earl Grey) ventured to protest against the proposed outlay at the time. He stated that it was already known that ships of the line built upon the system then in use would soon turn out to be useless for all the purposes of war. His remonstrance, however, was not listened to, and a considerable number of new ships were laid down at a great expense. Some of them, he believed, had never been completed at all, and some had been finished in a very different way from what was originally designed, and at an increased expense. The whole subject of naval construction was at present in such a state of transition—there was such a strong certainty that the ships of this year would not be the ships of the next five, or, perhaps, even of the next two years—that he held it to be most inexpedient to expend large sums of public money in building ships which they could not be assured would meet the exigencies of war when the time for their service really arrived. He very much doubted—and his doubts were shared by persons of far more knowledge than he could pretend to, whose attention had been carefully directed to the subject—whether our system of building iron-clads would, in the end, turn out to be a wise policy. Their Lordships were very well aware what was the custom in former days with regard to cavalry. Both men and horses were so overloaded with defensive armour that they were almost safe from the blows of an enemy—they were also almost as unable to injure him. By degrees this was seen to be a bad system; armour fell into disuse; and for knights so carefully protected that they had lost the power of offence, it was found advisable to substitute a swift and active cavalry. There seemed to be no small reason for believing that we might be falling into a similar mistake by overweighting our vessels with armour and so crippling their movements. Some of our ablest men maintained that such was the progress of science that very soon no ship we might be able to build would be able to withstand the artillery brought into play, and that it would, therefore, be expedient to proceed upon a different system. He was much inclined to believe that instead of striving at an enormous cost to build iron-plated vessels able to resist the daily increasing power of artillery, it might prove to be better to build vessels of very great speed, carrying one or two of the most powerful guns, and trust to their not being hit to their power of destroying the enemy, rather than their being able to resist their projectiles. This principle, he thought, might very probably turn out to be the correct one as regarded the construction of the navy. At all events he was sure, seeing they were as yet ignorant of what might be the improvements and discoveries made in the future in regard to naval science, that it would be neither wise nor prudent to expend too large sums of money in producing armour-plated ships beyond what were immediately wanted according to our present lights. Years ago — so far back as the administration of Lord Melbourne—he was very much opposed to building ships of the line without steam power, being convinced that although the means then known of applying steam to the purposes of war were still so defective, it was certain that the progress of science would discover some means of using this most powerful agent in ships of war, and that therefore ships without it would become useless. But his objections were overruled. It was urged that we were too weak as compared to other Powers in line-of-battle ships, and that more must be built. Large sums were accordingly applied in building ships of that kind, which had proved, as he had ventured to predict, utterly useless. When this became evident, the cry was that we must lose no time in building a large fleet of screw ships of the line to take the place of those that had become obsolete. As he had already mentioned, this was formally recommended to Parliament in the Speech from the Throne in the year 1859, when he again opposed this policy, pointing out that it was already evident that the use of shells must soon make the use of these large wooden ships impossible without extreme danger. In spite of his opposition, however, large sums of money—hundreds of thousands, if not millions—had been spent in building vessels which he had condemned, and which were now admitted to be useless. He must say that the responsibility of these errors rested not with the Admiralty, not even with the Government that might be in power, but with the House of Commons. Whenever there was a great mistake made in the administration, it generally arose from the pressure put upon the Government in the House of Commons, to adopt without due consideration some measure for which there might be a popular cry at the moment, and the consequence had been that there had been a great waste of the public money upon the navy. He ventured to say that if their Lordships went into a careful examination of the money that had been so wasted it would be found that a great part of it was attributable to the House of Commons.

Motion amended and *agreed to.*

Ordered, That there be laid before this House Return of the Number of Ships added to the Royal Navy by building or purchase, stating the Tonnage of each Vessel, in each Year from the Year 1860 to 1866 inclusive:

A similar Return of all Ships, stating their Description and Tonnage, withdrawn from the Royal Navy by Sale, Loss at Sea, or otherwise, during the same respective Years.—(*The Duke of Somerset.*)

PROPOSED TRADES UNIONS DEMONSTRATION ON MONDAY.—QUESTION.

THE EARL OF DUDLEY, in rising to ask the intention of the Government with respect to the proposed procession of members of trades unions through several of the most crowded thoroughfares of the metropolis and the West End next Monday, said, he was fully aware of the delicacy of the subject to which he was about to address himself; but there was a general feeling that such processions assembling and taking possession of the principal streets of London, for the purpose of making what was termed a demonstration, was an evil that was on the increase, and if allowed to go on would assume a position to defy all attempts to interfere with them, and therefore it was that he had deemed it his duty to bring the matter under the notice of the House; and he must confess that, after the announcement which had been made by Her Majesty's Ministers on the first day of the Session, he had hoped that those who took the most active part in promoting the intended demonstration would have come to the conclusion that there was no necessity for making it, for a most distinct promise had then been given on the part of the Government that they would lose no time in dealing with the great question of Reform, which was undoubtedly the great question of the day. He was, under these circumstances, greatly grieved to find that the leaders of the movement should, instead of waiting to learn what course Ministers might take on the question, deem it necessary to be beforehand with them. He deeply regretted that there should be any necessity for a Member of their Lordships' House rising for the purpose. In what he was about to say with regard to the proposed trades procession, he hoped it would be distinctly understood that he had no desire whatever to say a single word which might tend to irritate the public mind; and if he did use any expression of such a nature, he assured their Lordships that it would only be used in mistake and not from intention. Indeed, at the present moment the public mind was quite enough excited upon the subject without anything uttered in Parliament being construed into a ground of further irritation. He could look upon the proposed meeting and procession of Monday next in no other light than a monstrous demonstration of the trades unions of the country. He would be the last man to stand up in their Lordships' House and deny the right of the people to meet and discuss any political grievances under which they deemed themselves to be suffering, or for the purpose of procuring a fair representation of their opinions in Parliament. But that was a very different thing from the procession with which we were threatened on Monday next, which, under pretence of meeting in the Agricultural Hall, at Islington, was to assemble in Trafalgar Square. He felt that the fair and open discussion of political subjects was not the real object of the proposed meeting; for no one could fail to see that at such a meeting no discussion in the ordinary sense of the term could take place, but that it was held, if not for the express purpose of intimidation, at least by bringing immense multitudes of people to a central place in the metropolis, and then taking a circuitous route through all the most frequented streets of London, to cause such a demonstration as might influence Parliament in its deliberations on the question of Reform. Surely, if those persons who proposed to come from the north, south, east, or west of the metropolis, and congregate in the neighbourhood of Trafalgar Square, really wished to go to the Agricultural Hall at Islington, for the purpose of discussing their political grievances, there was no occasion to resort in the first place to a great central square, from which the start was to take place. He understood that measures for the preservation of the public peace had been taken, to the extent at least of procuring six out of every hundred persons being sworn as special constables. [The Earl of DERBY intimated dissent.] The noble Earl shook his head; but if he were incorrect in that statement, all that he could say was that he was sorry that there should be less endeavour on the part of the promoters of the meeting to preserve the peace than he gave them credit for. Nobody could deny that the passing of such a procession through the principal streets in a circuitous instead of in a direct line was designed mainly for the purpose of producing an effect on the clubs and the West End of the town; and he reminded their Lordships that every time such a procession were permitted, it became a precedent which rendered every similar attempt less likely to be resisted. He thought it rather unwise that the Department of the Government which had been more in direct communication with the leaders of this proposed demonstration than had usually been the case in any similar circumstances, had not exercised their powers of persuasion more successfully for its prevention, and thus rendered it unnecessary to call the attention of Parliament to the subject. He knew very well how difficult it was in discussing such a question with a large body of men to say that such a course could not be permitted; but he had hoped, at all events, that the counsel which the Government seem to have taken with the leaders of this movement, would have enabled them to have pointed out the loss and inconvenience which must result to the populace who happened to reside in the thoroughfares which were chosen as the route of the procession. But though these meetings might be permitted now, the matter was, after all, a question of degree; for it was possible that they might become such an enormous grievance that it would be absolutely necessary to put a stop to them. He should be the last person in the world to rise for the purpose of embarrassing the Government. On the contrary, after the course they had announced with reference to Reform, and which, he thought, was the only course they could have pursued, everybody must have wished that the proposed demonstration might have been dropped; but arrived as they were now within a few hours of the meeting, the Government must have determined upon the steps they would take; and there could be no want of discretion, therefore, in asking them to state, for the information of Parliament, what those steps were.

THE EARL OF DERBY: My Lords, I can assure the noble Earl that no apology was required from him for asking the question which he has just put to me. There can be no doubt that this question is one of very serious importance; and I can assure him, also, that he cannot regret more deeply than I do that those who have the conduct of the vast organization, and on which they have expended so much pains and care for several months past, should not have taken a more correct and a sounder view of the duty they owe to the public and the interests of the country generally than to persist in holding a procession which, although I am bound to say it is strictly within the law, yet is certainly liable to produce, and must produce, very great inconvenience, and perhaps, also, acts of illegality. But the noble Earl (the Earl of Dudley) does Her Majesty's Government too much honour in supposing that their powers of persuasion are such as to induce these gentlemen to forego the advantage of being allowed to display in the streets their immense organization, with marshals and sub-marshals, with stars, scarves, banners, and an exhibition of the most perfect military discipline. We certainly cannot pretend to such influence with the leaders of this movement as to have persuaded them, in deference to any opinions of ours, or to any measures which we are likely to introduce on the subject of Reform, to desist from the course on which they have long determined. Moreover, my Lords, much as I deprecate the course these gentlemen are pursuing, I entirely believe that they desire, as far as they can, that the procession may be perfectly peaceable and orderly. But the noble Earl will allow me to say that he is in error when he supposes that a certain number of each of these bodies are to be sworn in as special constables. It is not within the law that they can be sworn in as special constables; for no man can be so sworn in except upon information sworn before a magistrate to the effect that the person who swears such information believes that a breach of the peace is imminent, and that, in order to guard against such breach of the peace, he tenders his services to preserve the peace. Now, it is quite clear that these gentlemen, coming forward and saying—I believe most sincerely—that they are acting with the most peaceable intentions, could not be expected to swear that the assemblage of delegates and of various other bodies which they are organizing will be such an assemblage as endangers the public peace. Not but that I think breaches of the peace will be committed, though certainly not by those who are engaged in the procession; but when, in the heart of a crowded metropolis, processions of, it may be, 40,000, 50,000, 60,000, or 70,000 men gather and occupy busy thoroughfares for a considerable portion of the day, it is impossible that the idle and vagabond class on such occasions should not cause much inconvenience and some danger. And I would have the gentlemen who undertake the conduct of these vast processions to recollect that although the procession itself may not be illegal, yet it may become illegal through the circumstances attending it; and in that case those who so recklessly expose the metropolis to danger cannot escape from the responsibility they thus incur. They must, and they will, be held personally liable for any loss to property or to person which may result from their acts. There can be no doubt that the proposed meeting will cause very considerable obstruction of the ordinary traffic, and great inconvenience—that it must cause great loss both to the operatives themselves, who will lose a day's wages, and also to the shopkeepers, and inconvenience to everybody to an incalculable extent;—and all for what? For the purpose, as they state, of making a demonstration in favour of Reform. But Her Majesty's Government, as the noble Earl says, are quite prepared to deal with that question, and bring it forward for the consideration of Parliament. And here I must remark that demonstrations of this kind are little calculated to promote that calmness with which so grave a question ought to be submitted to Parliament. Moreover, if we are to believe the assertions of the leaders of this organization, the multitudes who are about to assemble in this way are to meet for an object to which I will not say the present Government, but to which no Government, and no statesman who can ever be called upon to conduct the affairs of this country, would ever consent; because we are told that that which alone will satisfy these vast assemblages and their leaders is the adoption of manhood suffrage and vote by ballot — two things which, combined, would absolutely and entirely overthrow the Constitution of this country. Well, what encouragement has Parliament for entering upon the course of deliberating and considering how far it should extend the franchise and increase the liberties of the people if it is told, "All you do is nothing—is of no use whatever. Here we bring together a demonstration of our physical strength and our numbers, to show you, the Parliament, that unless you do that which we know it is impossible you can ever consent to do, all your labours will go for nothing—they will produce no gratitude, but will only lead to fresh demonstrations and exhibitions of force, until we obtain that which would be a practical revolution in this country?" My Lords, I have not so poor an opinion of the House of Commons as to believe for a single moment that any demonstration of this sort will intimidate them or lead them to consent to extreme demands. On the contrary, I only hope it may not have the opposite effect of deterring them from fairly and candidly considering the merits of the case, and that they may not be induced to refrain from giving that which may safely, reasonably, and justly be given, owing to exhibitions of physical force and of numbers on behalf of that which is wholly alien to the Constitution and the spirit of the country. In regard to the noble Earl's inquiry as to what the Government are going to do in respect to the proposed procession, it is only necessary to say that they will confine themselves within the limits of the law. We have carefully considered what measures it might be in our power to take to put a stop to this demonstration and interfere with its progress; and we are informed that this procession, however mischievous, injurious, and liable to produce loss of property, and it may be of life, is not in itself illegal, and that we should not be justified in interfering with it so long as it conducts itself peaceably, and only passes quietly through the streets. There are two Acts of Parliament which bear on this subject. One of them, passed in the reign of Charles II., prohibits any persons, under a penalty, from attempting to present petitions to Parliament in greater numbers than ten together. There is another Act of George III., to which, I suppose, the noble Earl referred, in respect to assemblages within a mile of Parliament. It provides that if any persons shall assemble within a mile of Parliament for the purpose of either passing resolutions, petitions, or remonstrances with regard to matters concerning the State, in that case the assembly shall be an illegal assembly, with all the penal consequences attaching to it as such. But there is nothing in the statute to say that persons shall not meet within a mile of Parliament for the purpose of there forming a procession—not to come down to Parliament with a view of intimidating it, but, as is said to be intended in this instance, with a view of proceeding exactly in an opposite direction — to Islington, there to hold a meeting in the great Agricultural Hall. There is nothing absolutely illegal in that. The duty of the Government, therefore, must in this case be confined to taking care to have an ample amount of force ready to interfere, if necessary, for the preservation of the public peace, or for its restoration, if that peace is disturbed. Further than that it is not within our legal competence to interpose. But the noble Earl said—and it is a point very well worth consideration—that the constant repetition of these processions and demonstrations may render it necessary to make some alteration in the law. I trust that nothing of the kind will be required, because we know that such an alteration of the law, however just or necessary, would meet with very great resistance, and might be thought an undue interference with the liberties of the people—an interference which could not be justified, except by a general feeling on the part of the country, that these demonstrations had become quite intolerable, and a source of evil and mischief so grave as to render the interposition of Parliament imperatively requisite. Therefore, I can only say that, while deprecating the holding of this procession, yet finding it legal, we can do nothing except provide a force sufficient for the preservation of the peace. We much regret the course about to be pursued by its promoters, and we think it one which is liable to lead to the most unfavourable consequences, and likely to create a feeling of bitterness between the different classes of the community, which it is the duty of every good citizen as far as possible to prevent.

The Earl of ELLENBOROUGH: My Lords, I speak in the presence of noble and learned Lords who will correct me if I am wrong, but the impression on my mind, from my recollection of former statements in Parliament and elsewhere, when matters of a similar nature have been under discussion, and from the decisions of the Judges, is this—that when any great assembly of persons is held under circumstances which create fear—reasonable fear—in the minds of firm men, such assembly becomes of itself illegal, whether any act of violence be committed or not.

The LORD CHANCELLOR: My noble Friend has not exactly stated the proposition correctly. It is true it has been frequently decided by the Judges of the land that large assemblages of persons, *in terrorem populi*, would constitute an unlawful assembly; but no mere assemblage of numbers would make a meeting illegal. There must be a fear of violence or disturbance of the public peace in order to constitute an unlawful assembly.

The Earl of ELLENBOROUGH: But this is not a mere assemblage of persons, but an assemblage of persons sufficiently drilled to carry a column of 40,000 or 50,000 men in military array through the streets of London. That is not an ordinary meeting of men, it is not one of the meetings within the contemplation of the law.

The LORD CHANCELLOR: As I understand it, they are sufficiently drilled to be able to proceed peaceably in procession through the streets.

ROLL OF THE LORDS.

The Lord Chancellor acquainted the House, That the Clerk of the Parliaments had prepared and laid it on the Table: The same was Ordered to be *printed.*

House adjourned at a quarter before
Seven o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 8, 1867.

MINUTES.]—New Writ Issued—*For* Colchester, *v.* Taverner John Miller, esquire, Manor of Northstead.

Select Committee—On Mines *appointed.*

Public Bills—*Resolutions in Committee*—Dublin University Professorships.

Ordered— Metropolitan Poor; Trades Unions; Criminal Law; Dublin University Professorships*; Mines*; Libel.*

First Reading — Criminal Law [8]; Metropolitan Poor [9]; Dublin University Professorships* [10]; Libel* [11].

QUEEN'S SPEECH—HER MAJESTY'S ANSWER TO THE ADDRESS.

The COMPTROLLER of the HOUSEHOLD (Viscount Royston) *reported* Her Majesty's Answer to the Address as follows:—

"*I have received with much satisfaction your loyal and dutiful Address.*

"*You may rely with confidence on My cordial co-operation in all measures which are calculated to enlarge and strengthen the free institutions of the Country, to improve the Administration of the Law, and to promote the welfare and prosperity of all classes of My subjects.*"

INDIA.—QUESTION.

Mr. KINNAIRD asked the Secretary of State for India, Whether he has any objection to lay upon the table of the House Copy of the Minutes of the Chief Commissioner of Oudh and of the Governor General, on the Report of Mr. Davies, the Financial Commissioner, on the rights of the Ryots, and of any Orders passed by the Home Government of India on Sir John Lawrence's decision; whether the

Home Government, as stated in the Indian Journals, has called for a Report on the late famine in Bengal; and, whether attention has been directed to the following points:—1st. The extent of country affected, and the mortality caused; 2nd. The causes of the famine, and how far avoidable in future by works of irrigation; 3rd. The amount of warning of its approach, and how far the existing machinery of revenue administration is adapted to give the needed warning; 4th. The measures of precaution adopted by the Local Government of Bengal on receipt of such warning?

Viscount CRANBOURNE: With respect to the first Question of the hon. Gentleman, no orders have as yet been authorized or passed by the Queen's Government on the subject of Sir John Lawrence's decision. The Home Government have the subject under consideration; and I hope that a despatch will be shortly sent out. As soon as it is it will be laid on the table of the House, with the Minutes of the Chief Commissioner of Oude and of the Governor General, on the subject to which the hon. Gentleman's inquiry refers. With respect to the second Question of the hon. Gentleman, the Queen's Government has ordered a Commission to be issued to inquire into the causes of the famine in Bengal, and the mortality which that famine produced, and that Commission has been issued by the Governor General. By the news of the last mail we have every ground to hope that the Commission will send in a speedy Report. The instructions given to the Commission were very large, but they substantially included all the points referred to by the hon. Member.

Mr. BRIGHT asked the noble Lord to state whether the Commission was composed entirely of members of the Indian Government, or whether there was any portion of it independent, so that it would be likely to give a little more confidence to the country.

Viscount CRANBOURNE: I do not exactly know what meaning the hon. Gentleman attaches to the words "Indian Government." The President of the Commission is a Judge. A gentleman connected with the revenue administration and a colonel are the other members of the Commission; and I believe the names of all three will secure for the Commission the confidence of the Indian community and of the public generally. I may mention that the President is Judge Campbell, one of the best names in India.

CATTLE PLAGUE IN THE METROPOLIS.

QUESTION.

Mr. DENT asked the Vice President of the Committee of Council, If he can give the House any information as to the cause and extent of the recent outbreak of Cattle Plague in the Metropolis?

Mr. CORRY: As to the first part of the hon. Gentleman's Question, relating to the cause of the recent outbreak of cattle disease in the metropolis, I beg to inform him that the Privy Council caused an immediate and searching inquiry into the subject, but as yet it has received no satisfactory information. In respect to the second part of the hon. Gentleman's Question—the extent of the disease—it appears that forty-six animals had been exposed to the infection, the whole of which were slaughtered under pressure of the Privy Council, or the local authority, but not until twenty-eight had caught the disease. The first case occurred on the 28th of last month. No fresh case has been reported since.

CENTRAL INDIA PRIZE MONEY.

QUESTION.

Mr. HARVEY LEWIS asked the Secretary of State for India, When the distribution of the Central India Prize Money (Lord Strathnairn's captures) will take place; and, what is the reason of the delay in distributing the same?

Viscount CRANBOURNE: The principal cause of the long delay in distributing the proceeds of Lord Strathnairn's captures has been the very protracted litigation which has taken place with respect to them; but after the conclusion of that litigation a Treasury Warrant, under Sign Manual, was issued, and sent by us, last year, to India, with a very strong admonition as to the necessity of rapidly distributing the money. I have not heard whether the final steps have been taken; but I believe the distribution will be made very shortly.

THE PROFESSORSHIP OF THE UNIVERSITY OF DUBLIN.

QUESTION.

Mr. VANCE asked the Secretary of State for the Home Department, If the vacancy in the Professorship of the University of Dublin has been filled up?

Mr. WALPOLE said, that he did not believe that the vacancy in the Professorship of the University of Dublin had been filled up.

OUR MONETARY LAWS.

QUESTION.

Mr. WATKIN asked Mr. Chancellor of the Exchequer, When—referring to the pledge of the President of the Board of Trade last Session that the Government would in the recess look into the causes of the Commercial Panic and into the operation of our Monetary Laws, "with the earnest desire, if possible, to legislate on the subject," "or to invite the attention of the House to the subject," at the earliest period—he proposes to put the House in possession of any evidence taken, and of the views and intentions of the Government?

The CHANCELLOR of the EXCHEQUER: Sir, it is not our intention to place any evidence on the matter before the House, nor to legislate on the subject of the cause of the monetary panic. I think it will be a convenient opportunity, when the hon. Gentleman moves for a Committee on the subject of the Limited Liability Acts, to state the general views of the Government as to the course it may deem it necessary to take in the matter.

THE HOLY SEE AND RUSSIA.

QUESTION.

Mr. NEWDEGATE asked the Secretary of State for Foreign Affairs, Whether he will lay upon the table of the House the Circular Despatch of Prince Gortschakoff to the Russian Representatives abroad relative to the breaking off of the relations between the Holy See and the Imperial Government, and to the abrogation of the Concordat of 1847, together with the Documents annexed, Extracts from which have appeared in the Newspapers of this country?

Lord STANLEY: The paper to which my hon. Friend refers has been published by the Russian Government; it has been printed at length in many of the Continental journals, and I believe the substance of it has appeared in several of the English newspapers. It is therefore quite accessible to all the world; and as it relates to a matter with which the English Government has nothing to do—namely, the relations between Russia and the Holy See—I would ask the hon.

Gentleman to consider whether it would not be a waste of money to print the document, unless there should be a general desire on the part of the House that it should be put in the hands of hon. Members. If there is such a desire on the part of the House, of course, we have no objection; or if my hon. Friend or any other hon. Gentleman wishes to reprint and circulate it he may have access to a copy at the Foreign Office.

Moved, "That the House at its rising do adjourn till Monday."

LAW OF FORFEITURE.—QUESTION.

Mr. CHARLES FORSTER asked the Secretary of State for the Home Department, Whether it is his intention to introduce a measure for the abolition of the Law of Forfeiture on convictions of Felony, founded on the provisions of the Bill which obtained the assent of this House in the last Session? He remarked, that when the Conservative party was in Office in 1859, two distinguished Members of the Government, the present Lord Chief Baron Kelly and the present Lord Chief Justice Whiteside, gave their assent to a Bill for the abolition of the Law of Forfeiture, and had it not been for the circumstance of a change of Administration, that Bill would probably have been passed. The House would also remember that he had brought this subject under its notice in 1864, when he introduced a Bill, the principle of which was affirmed by the House on the second reading. He then had great pleasure in acceding to the request which was made to him, to leave the further conduct of the measure in the hands of the hon. and learned Member for Richmond and the Attorney General. His measure was received with great favour on both sides of the House, and was generally regarded as a very important measure of legal Reform. That Bill went up to the House of Lords, but he regretted to say that circumstances occurred which prevented its passing. The present system was fraught with great injustice, and acted most injuriously on the mining interests of the country at large. A deputation from the traders of South Staffordshire had waited upon the late Government on the subject, and stated that they were unwilling to engage in trade from the fear of exposing themselves to the penalties of conviction for manslaughter in consequence of accidents from causes over which they had no control.

So strongly did he feel on this subject, that he was determined, in case he should not receive a favourable reply from the right hon. Gentleman, to re-introduce the Bill he had brought forward in 1864. He hoped, however, that the reply of the right hon. Gentleman would relieve him from the necessity of doing so, for a matter so important could be more satisfactorily dealt with by Government than by a private Member.

Mr. WALPOLE: I have referred to the Bills of 1865 and 1866, and have found that, although they both have the same object, they contain very different provisions. The subject is certainly an important one, but the importance of the object sought to be attained depended mainly upon the provisions to be comprehended in the Bill. Nobody can doubt that not a more careful person than my hon. and learned Friend the late Attorney General could have been engaged in preparing such a measure as this, and therefore I shall not be inclined to doubt any provisions which he may have inserted in the Bill. At the same time, there are provisions in the Bill of last year which I should like to consider with the present Attorney General before introducing another measure this year. The probability is, that after a consultation with my learned Friend, I shall be prepared to introduce a Bill on the subject, having the same object in view as the former Bills, though, perhaps, with not exactly the same provisions.

Mr. HADFIELD urged the propriety of speedy legislation, as the principle of the Bills presented on the subject had received the general assent of both Houses.

Motion *agreed to*: House at rising to adjourn till *Monday* next.

Supply—Order for Committee read.

BUSINESS OF THE HOUSE.

QUESTION.

Mr. GLADSTONE: Perhaps the right hon. Gentleman the Chancellor of the Exchequer will be good enough to give some information to the House on a matter of considerable importance, What will be the course of business on Monday, and what Orders he proposes to place on the paper in order that he may be able to open the important subject of which he has given notice?

The CHANCELLOR of the EXCHEQUER: I intend to put on the paper the subject which I mentioned I should bring forward the first on Monday next—namely, to consider the paragraph in the Queen's Speech with regard to the Representation of the People. I hope the House will not press me to go into detail now as to the Motion I propose to make, as such a course might lead, perhaps, to misconception and misapprehension of the intentions of Her Majesty's Government. I trust that the House will excuse me doing so at the present time. I shall therefore confine myself to saying that the first Order of the Day for Monday will be one in effect to call the attention of the House to the subject to which I have referred, which is mentioned in the Queen's Speech. I shall then enter fully and fairly into the exposition of the subject and the proposals of Her Majesty's Government.

SUPPLY.

Committee on Motion, "That a Supply be granted to Her Majesty."

Queen's Speech *referred*:—Motion *considered*.

(In the Committee.)

Queen's Speech read.

Resolved, "That a Supply be granted to Her Majesty."

Resolution to be reported upon *Monday* next.

METROPOLITAN POOR BILL.

LEAVE. FIRST READING.

Mr. GATHORNE HARDY, in moving for leave to introduce a Bill for the establishment in the Metropolis of Asylums for the Sick, Insane, and other classes of the Poor, and of Dispensaries; and for the distribution over the Metropolis of portions of the charge for Poor Relief; and for other purposes relating to Poor Relief in the Metropolis, said: In bringing before the House the subject of which I have given notice, I shall endeavour to be as brief as possible in my explanation of the provisions of the Bill which I shall have to submit to the House. At the same time, I trust that the House, admitting the great importance of the subject, will allow me to make those remarks which are necessary, in order that they may have fully before them the scheme which I am about to propose for the management of the poor in the metropolis. It is not my intention, on this occasion, to go much into the past. I think we had much better avoid discussions which can lead to no good result with respect to what has been done on former occasions. But it will be necessary to some extent to refer to the past history of what has taken place in respect to the management of the metropolitan poor, in order to explain the reasons why I have felt it to be my duty to submit this question to the consideration of the House. I will not go very far back in my retrospect. A Committee sat upon the question of Poor Relief, not only as it affected the metropolis, but England generally. It began its inquiries in 1861, and reported in 1864. Now, it is a remarkable thing—very remarkable, it appears to me when I look upon what has occurred since—that nothing was brought before that Committee tending to implicate the management of the workhouses in the metropolis in the charges which subsequently created so much excitement not only in London, but in the country also. Nothing was brought before that Committee tending to show that the metropolitan workhouses in their management presented features of a disadvantageous character as compared with those in the country generally. On the contrary, there was every reason to suppose that those workhouses were properly managed, and that the treatment of the poor inmates did not demand intervention. Of course, then, the Report of that Committee did not touch upon the circumstances that have since been disclosed, inasmuch as there was nothing pressed upon the Committee at all relating to them; indeed, they rather expressed their satisfaction with the medical treatment of the poor generally, and said, I think, that it required no alteration, and that nothing further was necessary to be done in order to bring the medical treatment of the poor generally into a more satisfactory state. They said, however, that not only in the metropolis, but throughout the country, the central authority of the Poor Law Board ought to be confirmed, and, if possible, strengthened, and that it might be done, in one way, by lengthening the term for which the Commission was appointed. They went on further to say that it was specially required that for classification in workhouses—and that without reference to the metropolis only — more powers should be given to the Central Board—

> "It appears to the Committee that the union workhouse is insufficient for the proper classification of the inmates, and they consider it desirable that greater power should be given to the Central Board than what they now possess, to require the guardians to make adequate arrangement for maintaining such classification in the workhouses."

In 1864, then, we had arrived at this point. After a long and elaborate inquiry, conducted by highly-qualified judges of the Poor Law, the conclusion was arrived at that the Central Board was without sufficient authority for the classification of the poor, and generally for the proper administration of the poor relief throughout the country. Towards the end of 1864, the case of Timothy Daly occurred in the Holborn Workhouse; it was the first of those cases which so much attracted the attention of the country; it was followed by that of Gibson in the workhouse of St. Giles, in 1865. In April of the same year, a letter written by one of the nurses at the Rotherhithe Workhouse called attention to a very painful state of circumstances there; and finally, in 1866, the same nurse called attention to the state of the Strand Workhouse, where she had been lately engaged as a nurse. Inquiries took place with reference to Daly and Gibson's cases, and in 1865 the Rotherhithe guardians inquired into the statements made by that nurse. No action was then taken by the Poor Law Board on the evidence taken by those guardians; but in 1866, upon the requisition of the Workhouse Infirmary Association, official inquiries were made respecting the condition of the sick in the Strand, Rotherhithe, and Paddington Workhouses by inspectors, whose reports were exceedingly adverse to the management of the sick in these workhouses and caused a great sensation throughout the country—perhaps a greater sensation than was justified by all the circumstances. When one considers that in the metropolis there are thirty-nine workhouses, containing a population of from 25,000 to 30,000 persons, it would not strike one as remarkable that there should have been four cases in which great hardship and wrong had been inflicted. No doubt many things were revealed which showed that there was necessity for interference, but these particular cases, each seen in varied shapes, as it were, in a kaleidoscope, through the comments of the press, caused a sensation, which if not unreasonable or unnatural, was perhaps disproportioned to the circumstances under which they occurred, and blame was imputed to the guardians, not only of the workhouses in question, but of the workhouses of the metropolis generally. Every one must admit that the office of a guardian is one of great difficulty and delicacy. He has to stand between the poor and the ratepayers; he is continually pressed on one side and the other; and in London he is watched with excessive scrutiny by the press, particularly after the occurrence of cases like those named; through these discussions he becomes more fearful of acting on his own responsibility, and there is a vacillation in his movements which there would not have been if he was left more alone. At the same time, I will not say it is not advantageous that there should be the fullest scrutiny into every transaction of the kind referred to, and that the fullest publicity should be given to all the circumstances connected with institutions which so materially affect the welfare of the poor and the interests of the ratepayers, both of the metropolis and the country generally. During 1865 and 1866, whilst these things were going on, a well-conducted newspaper, *The Lancet*, thought proper to employ, at its own expense, certain medical men, who made full inquiry into the administration of the sick departments of the metropolitan workhouses. I should be the last person to complain of the mode and manner in which that inquiry was conducted, it being conducted in a tone and spirit very different from that which characterized the comments of some other portions of the press. On the whole, *The Lancet* founded its animadversions on facts and incidents that really occurred, and it did not indulge in mere sensational writing as some other papers did. The articles in *The Lancet* naturally made a great impression, because they called attention to the facts that the construction of the sick wards in the workhouses was bad in itself; that in the main they were overcrowded; that the nursing was bad and wholly inadequate; the ventilation in almost every respect was defective; and that the furniture, appliances, clothing, and cooking arrangements were bad, and not at all appropriate to the wants of the sick. In May, 1865, in consequence of the prominence which the subject of nursing had acquired, a circular was sent out by my right hon. Predecessor, calling the attention of the metropolitan guardians to the inadequacy of the staffs, and calling upon them to appoint at least one paid nurse to superintend each sick ward, and also to appoint paid assistant nurses who might wait with more responsibility on the patients. Subsequently, a full investigation into the state of the sick wards was undertaken by the Poor Law Board itself, through its medical officer and inspector, Dr. Edward Smith, and Mr. Farnall, inspector of the metropolitan district; and their inquiry did not terminate until just before the change of Government which took place last year. Their Reports were, however, in the hands of my Predecessor, but no action had been taken upon them up to the time that I succeeded to the office I now hold. Hon. Members who take an interest in this subject will find that Mr. Farnall's Report is based upon one supposition, and Dr. Edward Smith's upon another. Mr. Farnall's Report is based upon what he called the requirements of medical science—namely, that certain medical men of the greatest eminence urged that 1,000 feet cubical space was required for each inmate of a sick ward; whilst, on the other hand, Dr. Edward Smith's Report was based on the understanding that the requirements of the Poor Law Board was what he had to see to. It appeared that up to this time 500 feet cubic space was considered sufficient for a sick ward, and he thought it was his duty to inquire how it had worked. Both, however, came to the conclusion that the workhouse infirmaries are overcrowded, that the nursing is defective, that the appliances are also defective, that the ventilation is insufficient, and that great reform is needed in the sick wards of the workhouse infirmaries. That was the state of things when I had the honour to be appointed to the office which I now hold. At that time my attention was called in this House to those cases to which I have referred, and others, in which it was said that great negligence, cruelty, and hardship had occurred to individuals in these workhouses, and I then said it would be my first duty to endeavour to mitigate, with the powers I possessed, the evils which then existed. I stated, at the same time, that I felt that the time must come when I must ask the House for powers to provide permanent remedies for evils which without I could only temporarily moderate. It has been asked in many quarters why I did not put in force the compulsory powers that belong to the Poor Law Board. In my opinion there has not yet arisen occasion to put them in force, because nearly everything I have asked has been done, or is in the course of being done, and it would have been difficult, if not impossible, to have proceeded by *mandamus* in the case of medical officers, legal and technical questions and questions of contract would undoubtedly have been raised. No doubt the Poor Law Board possesses the power to enforce the appointment of officers, but the power must be exercised carefully, and strictly within the limits of the law; and I thought that, as the time was approaching when I could ask the House for further powers, it would be unwise and imprudent to involve myself in a collision in which I might get the worst of it, and which might give rise to a feeling that I had used powers I did not possess, or that I had used legal powers unnecessarily. Besides, on the whole, the guardians were acting in a fair spirit; they were adopting the suggestions that were made to them, and were endeavouring to carry them out. At the same time, I am bound to say that the two inspectors who then had charge of the metropolitan district, Mr. Corbett and Dr. Markham, discharged their duties in the most indefatigable manner, and were deserving of every praise. They visited the workhouses by night and by day, and consulted the guardians, endeavouring by firmness and conciliation to obtain the remedies that would mitigate the evils which had been justly complained of, and simultaneously procuring information to enable me to propose legislation on this very important subject. I may be permitted to call attention to the letter of Mr. Ernest Hart which appeared in one of the daily papers, because he is a gentleman who has devoted his attention to the reform of our workhouses, and particularly the workhouse infirmaries. I am not going to put forward anything that I may have done other than to say that I have endeavoured to do my best; but I will take it on Mr. Hart's admission that much has been effected already in the way of temporary remedies—ventilation has been improved, paid nurses have been provided, more medical officers have been provided, and the furniture and other appliances required for the sick have been very much improved. Having made these preliminary remarks, I come to the permanent arrangements proposed for the metropolitan workhouses. The inquiries of Dr. Markham, a skilled physician, well acquainted with hospital treatment and the proper working of infirmaries, have been continually directed to the state of the workhouse infirmaries in the metropolitan district and their requirements, and from his reports and other information, I came to the conclusion that there was nothing absolutely definite on the vexed question of floor and cubical space. I determined, therefore, to call in persons who were qualified to give a distinct opinion on the subject, in order that when I came before the House I might not have to argue on disputed theories; and I am sure the House will not say that in consulting the gentlemen I did, gentlemen whose attention had been specially called to the London Infirmaries, I did so with the view of confirming any preconceived notions of my own, especially as one gentleman who was applied to, but could not act, was well known to be strongly in favour of the largest amount of cubical space. That was Dr. Parkes. I applied to Sir Thomas Watson, President of the College of Physicians, to whom I cannot sufficiently express my gratitude for the zeal and ability with which he applied himself to this subject, as though it were the only one before him. There was also Dr. Acland, of Oxford, whose only object was for the public good, offered to come up and take part in the Committee, together with Dr. Sibson, Mr. Charles Hawkins, Mr. T. Holmes, Captain Galton, Dr. Randall, Dr. Smith, Dr. Markham, and Mr. Corbett. They visited the workhouses by day and by night—they tested the atmosphere of the sick wards in the different workhouse infirmaries, and thus obtained data upon which they have founded their conclusions, and I cannot but call attention to the fairness of the mode in which they have dealt with the question. They did not treat the question simply as one of theory, but went fully into the subject, ascertaining the kind of diseases prevalent in the workhouse infirmaries, and with the knowledge that there would be a removal of certain classes of sick—for example, small-pox and fever patients—from those infirmaries altogether, whose absence would, of course, make a material difference in the calculation. One point is remarkable enough. It is that however overcrowded these infirmaries may be, none of those diseases appear there which are known to result from overcrowding. There are no hospital diseases, and it has attracted attention abroad as well as at home how very few are the cases of puerperal fever, which so often decimate lying-in hospitals, and in France, I believe, cause death to an extent of which we have no conception. Even in our own lying-in hospitals these cases occur to a much larger extent than in the metropolitan workhouses. I will now read a few sentences which form the practical groundwork of the Report—

> "The problem to be solved really is what is the amount of floor and cubical space which shall not be too little on the one hand, nor more than enough on the other—not too little for the health and comfort of the pauper inmates, sick or well, not too much for the means of the humblest ratepayer. This practical aspect of the question the Committee have deemed it their duty to keep steadily in view, always with an inclination, if the balance cannot be strictly adjusted, towards the side of the sick and poor. It is fit that these houses be made safe, decent, and commodious; it is neither necessary nor expedient that they be made inviting."

Upon that basis Sir Thomas Watson and the gentlemen associated with him arrived at their principal conclusions. Before calling attention to those conclusions, I will refer for a moment to the enormous changes which have taken place in the metropolitan workhouses. They were originally built at an enormous cost, and I find that since 1834—I do not know what they had cost up to that time—upwards of £1,000,000 has been spent upon them. When they were built it was not contemplated that they should become mere asylums for the aged, the sick, and the infirm; but these are now the main occupants of the workhouses, and the able-bodied are practically almost unknown. Assuming that the able-bodied are only those under sixty—an unreasonable period, perhaps as many men are quite able-bodied when beyond that age—it appears that there are only 889 able-bodied men in the London workhouses, and of women about 2,000. Besides this, it must be remembered that at the time when this inquiry was instituted, great changes had arisen in the various theories formerly entertained upon these matters. Former Reports and recommendations made show that a very much smaller space was thought requisite for the sick than is now almost universally looked upon as desirable. Thus the condition of things is very different from that existing when these workhouses were designed. They were designed as workhouses under the new Poor Law to deter able-bodied persons from going into them; it is found that they do act, in a great degree, as a check in this way; but now they are places chiefly for the sick and aged poor, the very persons whom the country would wish to see well cared for. Then, the Poor Law Board itself does not seem to have been always of the same opinion respecting the cubical space and the nursing. Now the cry throughout the country and the metropolis is that you must have as many paid nurses as you can get; but in a Return moved for by the Earl of Carnarvon in the other House, occurs this letter, dated the 11th of February, 1850, in which the Poor Law Board urge the guardians at Croydon not to appoint too many paid nurses—

> "Three at least of the paid servants in this hospital must be discontinued. In the greater number of country unions there is no paid nurse, and in none it is believed more than one. In pronouncing upon this point the Poor Law Board attach more weight to the results of experience than to the opinion of the medical officer of the Croydon Workhouse, though supported by that of three of his professional friends. If, for instance, the infirmary of the Wandsworth and Clapham union workhouse can be, as it is, perfectly well managed under one paid nurse, why should the medical officers say that five paid nurses are required in the much smaller infirmary of the Croydon Workhouse."

I only quote that in order to show that we can only act up to the lights we have, and that some fifteen or sixteen years ago medical men and the Poor Law Board itself believed there was much less necessity for greater space, paid nurses, and other appliances than is now thought requisite. We should not, therefore, attack our predecessors unnecessarily upon this subject, because we should probably have acted at that time just as they did. I come now to the conclusions of the Committee. They say, respecting the classes of sick poor of whom I have spoken—

> "The Committee, after full and anxious consideration of the subject, have recommended that a space of not less than 850 cubic feet on an average, with six feet across the beds, should be provided for each sick inmate; of not less than 1,200 feet for each 'offensive case' in the 'separation' wards; the infirm wards should have at least 500 feet with day room; the surgical wards, 850; and the lying-in-wards, 1,200; for general wards, 300 would be sufficient; but for fever and small-pox wards, 2,000, and that they should be removed to separate hospitals."

But the great point upon which they dwell, and upon which the whole question turns, is ventilation. It is stated, upon authority which I cannot doubt, that, whatever amount of space you may have, if the ventilation be not good, all your expense and trouble are thrown away, and that it is idle to increase the space unless you improve the ventilation. Accordingly, the Committee gave great attention to this subject, and to the best mode of insuring proper ventilation. The appendices to the Report are not yet perfect; but I hope in the course of this week, or the beginning of the week after, to lay before the House all the data upon which these gentlemen have proceeded. The House will find them worthy of attention, and they show that you cannot by merely adding to space overcome the difficulty of obtaining fresh air. You must not give air to the patients cold or in draughts, because to these old people draughts would be more dangerous than overcrowding and heat; and if you give them warm air, you must have some artificial system by which the air is brought into proper condition so as to be adapted to their weak state. In one of the great hospitals in France — the Lariboisiere— 2,000 cubic feet are allowed for every inmate, and yet from its defective ventilation it is said by Dr. Bristowe and Mr. Holmes, in their Report on Hospitals, to be worse than the old infirmary at Leeds. This space being then required by the Committee, and accepted by me as the data on which I am bound to proceed, I have made up my mind to act on these conclusions, and on them I shall proceed to legislate; and then the question arises, how is the space to be obtained? We have in the metropolitan workhouses about 26,240 persons. That excludes the inmates of the Richmond and Croydon Workhouses, which are not properly comprised within the metropolitan district, though within the inspecting powers of the metropolitan inspectors. There are temporarily disabled, 7,046; old and infirm, 13,685; able-bodied, 2,899; children above two years of age, 2,150; infants, 1,015. Out of the whole of these, 1,977 are imbeciles or lunatics, and form a separate and distinct class. Now, there is a very remarkable thing in these workhouses, which shows to their credit — I refer to the great age to which people may live in them. There have been as inmates for the period of one year and upwards persons above the age of 70 to the extent of 4,783; from 75 to 80, 3,812; from 80 to 90, 903. Those who have been from five to ten years inmates number 1,352, and those above ten years, 857. I saw in one of the workhouses, in the City of London union, what Sir George Lewis would have told us was an impossibility — an old man of 100 years of age. I believe this is a well-authenticated case, and judging from appearances he was likely to live for some time. Well, the question is, how am I to get room for all the sick poor of the metropolis? In the first place, I propose that the lunatics and imbeciles shall be removed and placed in separate establishments; then that the children above two years of age shall go to separate schools, and having done that, I fear I shall find myself still with a considerable deficiency of space under the new circumstances. We have to provide for 34,000 persons, including children. How is that to be done? It must be done by additional buildings. I propose to do it in accordance with the original intention of those who passed the Poor Law Act. So long ago as before the formation of the Gilbert Unions, a Resolution of the House was passed which shows what was in the mind of the House at that time; it was in favour of the establishment of

> "A proper hospital, separate workhouse, and house of correction in each district, as the most easy and effective method of relieving the impotent, employing the industrious, and reforming the vicious poor,"

and it was evidently not supposed that the aged and infirm would be brought in who were principally receiving outdoor relief at that time. In 1834, what did the Commissioners say? Their intentions are given by Mr. Edwin Chadwick in a late number of *Fraser's Magazine*, where he says they never intended to have large workhouses, but separate ones for separate classes; but in carrying out their intention they seem to have come to a different conclusion; for, so far as I can see, no step was taken in that direction by the Commissioners at that time, and I suppose that Mr. Chadwick must have been overruled, and that an entirely different scheme was adopted. In their Report we find it recommended that the Central Board

> "Should be empowered to cause any number of parishes to be incorporated for the purpose of workhouse management, and for providing new workhouses where necessary, and to assign to those workhouses separate classes of poor. That the requisite classification and superintendence may be better obtained in separate buildings than under one roof. Each class might thus receive appropriate treatment; the old might enjoy their indulgencies without torment from the boisterous, the children be educated, and the able-bodied subjected to such courses of labour as will repel the indolent or vicious."

That principle was, in fact, carried out in the District Schools Act, the 7 & 8 *Vict.* c. 101, and I am taking no new step now in what I propose, for in 1841 Earl Russell, then Lord John Russell, together with Mr. Baring and Mr. Labouchere, brought in a Bill, in which it was provided that parishes or unions might have separate buildings for the insane and infirm poor, as well as separate schools for children. My main object is to classify the different inmates of workhouses, and I hope to do that, in the first instance, by building such an establishment or establishments as will be necessary for 2,000 lunatics and imbeciles. I find that my view on this subject is supported by the Lunacy Commissioners themselves; for in 1859 they published a supplement entirely devoted to this question of removing the lunatics and imbeciles from the workhouses. I will, for a moment, call the attention of the House to a few short passages. After pointing out the evils attendant on the detention of lunatics in workhouses, they say—

> "To remedy many of the evils adverted to would, in our opinion, be impracticable, so long as insane patients are detained in workhouses, whether mixed with other inmates, or placed in distinct wards. The construction and management of workhouses present insurmountable obstacles to the proper treatment of the disease of insanity; and, therefore, the removal of the majority of the patients and the adoption of stringent measures to prevent the admission of others have become absolutely necessary. . . . To secure for the insane poor now improperly retained in workhouses due care and treatment elsewhere, it will be necessary to add greatly to the existing accommodation in county and borough asylums. Many of these are already upon so large a scale as not to admit of the necessary extension, while some are of a size much beyond that which is compatible with their efficient working. After full consideration of the subject in all its bearings, we are of opinion that the best mode of making provision for the insane poor who cannot be received into the present asylums will be by the erection of inexpensive buildings adapted for the residence of idiotic, chronic, and harmless patients, in direct connection with, or at a convenient distance from, the existing institutions. These auxiliary asylums, which should be under the management of the present visiting justices, would be intermediate between union workhouses and the principal curative asylums. The cost of building need not, in general, much exceed one-half of that incurred in the erection of ordinary asylums; and the establishment of officers and attendants would be upon a smaller and more economical scale than those required in the principal asylums. Without the adoption of measures such as we have suggested no effectual remedy can, in our opinion, be found for the present evils which so urgently press for correction."

I might quote at greater length; but those who are interested will find the whole Report worth perusal. I have spoken to one of the Commissioners, who tells me that it not unfrequently happens that persons who might be easily cured if put at once under medical treatment, are after a few days in a workhouse rendered absolutely incurable. I am sure that an evil of the kind to which I now refer is one to which this House will, if it be possible, apply a remedy. The next class to be removed is that of persons suffering from fever and small-pox. At present the great majority of those cases are sent to the hospitals specially devoted to the cure of these diseases; but it often happens that these hospitals are full, and I am bound to say that it is a matter of real necessity to provide some directly under Poor Law management. I would therefore propose to take or hire such buildings as will accommodate from 700 to 800 of those patients. I hope and believe that the time will come when by proper attention to the use of those remedies which science has discovered—vaccination on the one hand, and good sanitary arrangements on the other—we may be able to dispense with those hospitals almost entirely. We cannot, however, do so at present; and it is a most material thing to do for the people themselves, and for others in the workhouse, that to avoid risk and spreading the disease they should be removed. With respect to the children, almost all the metropolitan unions and parishes have district or separate schools. There are six instances in which we shall, no doubt, find no difficulty in obtaining their sanction—though we shall not require it—that the children shall be removed to separate schools like those which the inspectors have certified as being carried on on a most admirable system. In them the children are trained not only in the ordinary walks of industry, but the instrumental bands of some of our regiments are drawn from these schools. I am told that almost the whole band of one of our regiments came from the Stepney School. I have not been there, but am told that it is a most interesting sight to witness the training of the children. Now, am I to give up the existing workhouses? I think not. I believe, from the Reports made, that there are twenty-four of the present workhouses which may be easily and satisfactorily adapted for all classes of poor, except those which I have before described, There is one thing, however, which we must peremptorily insist on — namely, the treatment of the sick in the infirmaries being conducted on an entirely separate system; because the evils complained of have mainly arisen from the workhouse management, which must to a great degree be of a deterrent character, having been applied to the sick, who are not proper objects for such a system. That is one thing which I should insist upon as an absolute condition. I propose, therefore, that power shall be given to combine such districts as the Poor Law Board may think proper—whether parishes and parishes, unions and unions, or unions and parishes—under a more complete system of inspection and control, and to interest in the conduct of those establishments persons who might be inclined to give them their attention. I propose that we should be able to appoint nominees on the Boards of Guardians, providing they never exceed one-third of the whole body, and are rated at not less than £100 a year. These nominees would, I hope, be persons taking a deep interest in the management of the establishments, and they would exercise a closer supervision than can be exercised by an inspector, whose visitation can only take place a certain number of times in a year. This proposal is, I am aware, a novel one, and will probably raise some objectors; but the House will bear in mind that in other parts of the country justices of the peace, acting practically as the largest ratepayers in the union, have seats at the Board. I propose that gentlemen residing in the several districts, and who are justices of the peace, though not perhaps filling that office in a metropolitan county, should be eligible to be placed upon these Boards, the nominee portion, however, never exceeding one-third of the whole. I know I shall be asked, from what I have seen in the press, and what has been said at public meetings, in respect to a plan that has been spoken of for workhouse and infirmary alteration, "Why do you not have six or seven large hospitals, each containing 1,000 inmates, and conducted upon the principle of hospitals pure and simple?" Now, there are several reasons why I do not propose this. In the first place, it would involve great expense and render useless the existing workhouses. Secondly, there is the objection which has been pointed out by many eminent medical men, that whereas in our smaller establishments, notwithstanding all their defects, gangrene, erysipelas, and puerperal fever do not intrude, in the large hospitals those diseases not only intrude, but are often permanently fixed there. Another objection is that these establishments ought to be readily accessible to the people of the district; because the people admitted into them are frequently in a transition state, and persons of advanced age are in the infirmary to-day and out to-morrow, in this week and out the next, and to remove them to and from a distant hospital would be a much more prejudicial course than to transfer them to an hospital near at hand, and capable, under proper discipline, of being as well conducted as the larger establishments. I hope under the new system to ensure, in cases where there are a certain number of sick, resident medical officers, in all cases separate and independent matrons, and paid nurses. But I know that we cannot by paying get trained nurses. Miss Nightingale says no such thing exists as a body of trained nurses at present: we must train them. Well, if we cannot get them, we must do the next best thing—we must use the best material available—we must pay persons responsible to us, and in that way having got the best we can, by having these separate establishments under suitable matrons, we may probably educate nurses for our needs. I believe that suitable persons could in many cases be found in the workhouses who would gladly seize the opportunity of earning a good livelihood. I believe also in the schools young persons might be trained to nursing, and thus provided with means of earning a living in their future life, while they conferred a great benefit upon the class from which they came. This, of course, would be a work of time; and, after all, the large hospitals would experience the same difficulty. I will here call the attention of the House to a very curious circumstance which is referred to in the last Report of the Poor Law Board. In Liverpool a gentleman, to his honour be it said, gave £3,000 to be divided into three sums of £1,000 a year to obtain for the Liverpool Workhouse trained and experienced nurses. Twelve were appointed on the recommendation of Miss Nightingale, and under them were eighty others. There was a miraculous change in the management of the workhouse infirmary. In the appearance of it it seemed that everything was being done on an improved system. But what did the intelligent master of the House report? For the first ten months—and I agree with him that that time is too short to give any sufficient proof of the working of the system—for the first ten months after the nurses came, he reported the discharges had been fewer and the deaths more frequent than under the old system. I confess that did to some extent dishearten me, and I have not at present any further return on the subject, though I have tried to obtain it. I am bound to say that Miss Nightingale was not quite satisfied with the administration of that department, although any one who visits the Liverpool Workhouse will see that it sets a pattern which is well worthy of being followed by similar establishments. I have another proposal to make with the view of securing more frequent visitation. It has been represented to me that there are no medical schools in which the treatment of chronic diseases can be studied; and I therefore propose that the Poor Law Board should have power to establish such schools, or more properly places of instruction, in connection with these hospitals, because the attendance of medical practitioners and their pupils would amount to an inspection of the most efficacious kind. Now, I think I have gone through the different classes that I propose to deal with in workhouses, and I ask, can nothing be done to prevent so many sick persons coming into the hospitals? I have had inquiries made on that subject, and I am sure that the right hon. Gentleman opposite will join me in admitting the debt which is owing to an officer of the Poor Law Board, Mr. Lambert, for the enormous assistance he gave them in the arrangement of statistics last year, and I have to thank him for the earnest and laborious assistance which he has afforded me in connection with the changes I propose. Though he had well earned a complete rest after having devoted himself to the preparation of the elaborate Returns that were laid before Parliament, I asked him, on his taking his holiday, if he would go to Ireland and make inquiries as to the administration of the dispensary system there. He did so, and has made a Report, which I have laid upon the table; and on that I propose to found a system which I believe calculated to diminish the amount of serious sickness among the poor. Half the pauperism of this country begins in sickness. I think it a most unsatisfactory system that such cases as this should occur constantly:—A child goes to the district medical officer, says some one at home is ill, and describes the symptoms. Medicine is sent with the child, without the medical officer having visited the patient. It may do harm, or it may do good; but I think the system contrary to common sense. Cases have come before me where medicine is continued to be sent frequently while the medical officer has not seen or seldom seen the patient. Not long ago a case occurred in the metropolis of this kind:—A daughter came to the medical officer, described pains, and medicine was sent to the mother; she died, and it was found she was suffering from quite a different complaint to that to which the medicine was intended to cure. I know of a workhouse in the North of England—I will not mention it—where they have what they call house medicine placed in a pauper's hands, and whoever wants it applies and gets it, and the demand seems good, for though the workhouse is a small one, the inmates consume a gallon a week. The medical officer says it does them no harm; the master says it has a great effect. The absence of disastrous consequences from medicines thus sent upon mere guess seems to prove that they must be at least harmless; but more is required. Now, to remedy this loose system, I propose that dispensaries be established in different parts of the metropolis, and that in all cases the medical men should write a prescription. It may be said that this is a cumbersome system; but it is carried out in Paris and in Ireland, where it answers exceedingly well, and prevents a great deal of sickness which otherwise would have to be treated in the hospitals. Mr. Lambert went to inquire into the matter. I do not propose to read at length his report; but if I read extracts from it it will be for the advantage of the House, for I am unable to give better reasons for this enactment than he has given. Dr. Rogers, in his evidence before the Relief Committee, suggested that the authorities should find the drugs, and not the medical officers. I propose to adopt that course; the drugs are to be found. I cannot help thinking that will remove from the medical man a great temptation. We shall secure good drugs; and when I come to speak of the mode of paying for them the House will see that the plan we propose will, or at least ought to, obtain for us the best drugs possible. The advantages of this system are stated by Mr. Lambert in better words than I myself could employ—

> "It insures for the destitute sick poor a sufficient supply of all necessary and proper medicine and medical appliances. It enables those who are not confined within doors to obtain medical advice at fixed hours, and within a convenient distance from their homes. It insures for those who are unable to go out medical attendance, and enables them to obtain their medicines promptly. It affords facilities for vaccination, as well as for medical relief generally, by establishing fixed places at which it is well known that the medical officers must attend at stated hours."

The next, I think a most important matter, which some of my hon. Friends from Ireland will no doubt be able to confirm; it is that nothing so much tended to check the recent outbreak of cholera in Ireland as the power of expansion which there is in the dispensary system. Mr. Lambert goes on to say—

> "It provides an organization always ready, and capable of expansion if necessary, to meet any outbreak of epidemic disease with promptness; while, at the same time, it is calculated to prevent disease becoming epidemic by early treatment, and by procuring the adoption of precautionary measures in any locality which may be threatened. These benefits have recently been largely realized in Ireland in reference to cholera."

I think it a most important point that when a person is removed from outdoor to indoor relief his prescriptions should go with him; so that the medical man in charge of the case may have the opportunity of seeing what the course of treatment has been—

> "By preserving a record of the medical treatment in every case it furnishes a test of both the skill and attention of the medical officer. It prevents that conflict between interest and duty which must so often arise in the mind of the medical officer when he himself is required to provide medicines out of his salary."

I think the reasons I have just read are reasons of great force and weight. In attempting to give effect to them it will, of course, be necessary that the Poor Law Board should have power to deal with all contracts entered into with existing medical officers; because I am sure the House, in a proceeding of this kind, would wish to see all those who have hitherto given their services dealt with justly and honourably. To another provision which it will be necessary to make in this Bill the attention of the House was called by the Report of the Committee which sat from 1861 to 1864, and that is as to doing away, as far as practicable, with Local Acts in the metropolis. At present there are ten places under Local Acts in the metropolis, and we propose that they should be brought just as much under the authority of the Poor Law Board as any of the rest. At the present there is a nominal audit, but the audit in some of these cases is worthless. I trust that the House, with the Report of the Committee from 1861 to 1864 before them, and with all the facts and reasoning in its favour, will carry that part of the Bill—the abolition of the Local Acts—so far as they relate to Poor Law administration in the metropolis. Now I come to a point which will be more interesting to some hon. Members sitting opposite than any other part of the Bill. I have been urged and invited by a great deputation, by pamphlets, and by letters innumerable, to state whether I am prepared to equalize poor rates throughout the metropolis. Upon that subject I will not keep the House in suspense, because I will say at once that I am not prepared to make such a proposition; but I am prepared to do a good deal, I will not say towards equalizing those rates, but towards distributing charges now levied separately upon the various localities. It is true that this metropolis is in a certain sense one altogether; but every one must see, I think, that there is no place in the world with more varied interests or more unmistakably divided into different districts than the metropolis. I find one gentleman proposing, for instance, twelve municipal establishments, and another proposing that London should be divided into all sorts of districts with distinct machinery; so that it is quite clear that London is felt to be separated into various and distinct divisions. And I cannot get over this: how, if you once equalize the rates of the metropolis, are you to provide for a central management? You must have a paid management, and you must do away with local management altogether. If not, how are you to put a proper check and control on the expenditure? I am quite sure of this, that by such a change, instead of bringing down the rates to a certain amount, you would have a very great increase in the present rate of expenditure. I could not help remarking the other day at the deputation how many gentlemen said they were a great deal less liberal than they should be if they had the means of putting their hands into the pockets of their wealthy neighbours. I quite admit that would be the result. It is clear, at all events, that the deputation looked to a much larger expenditure. And I am not now expressing any opinion of my own as to the sufficiency of their present expenditure in some respects—as to outdoor relief, for instance. But I believe that a great paid system for 3,000,000 people would utterly fail, though perhaps it would become a great department, and finally overtop the Department over which I have the honour to preside. If, on the other hand, the administration were intrusted to the Poor Law Board, it would occasion conflicts and difficulties greater than any that have hitherto arisen. Another difficulty in the way of equalizing the rates, though that certainly might be overcome, lies in the question of uniformity of assessment. At this moment the rateable value of the metropolis is put at £15,000,000. How much of that is ascertained by the Union Assessment Committees? Why, as to between £9,000,000 and £10,000,000 of that amount, we have no means of ascertaining whether the value is properly estimated or not. It is ascertained without Union Assessment Committees, and is assessed in parishes as they please; and it may be, for aught I know, that the assessments may be so managed as to cause much of the evil which is complained of. The Poor Law Committee did not make any recommendations on this subject. They called attention to it, and say there are peculiar circumstances in the metropolis. There are peculiar circumstances in the metropolis, and I think they are such as to justify me in proceeding to the length I propose to do in distributing the charges. The Union Chargeability Act got rid of a great number of difficulties, particularly in the City of London, where, I think, one parish was rated at 2*d.* in the pound, and another rated as high as 9*s.* These inequalities have been remedied, and the City of London Union is now equally assessed, and pays, no doubt, a very moderate sum, having regard to its wealth, as compared with the surrounding districts. The charges of the houseless poor have all been thrown on the common fund of the metropolis. I do not think the time has yet come for forming a definite opinion on that question. I think the time will come when it will be necessary to inquire into the working of that Act. It has answered to a great extent in this way. It has provided that no person need be houseless in this metropolis. It has trebled the number of persons who used to apply for admission to the casual wards of workhouses; but I find that, although the estimate, in point of numbers, has been largely exceeded, the actual cost of the wards and relief given is not beyond the one-eighth of a penny regarded at the time as sufficient for the purpose. This charge is not a very large one, yet it has been instrumental in introducing a new principle into the metropolis. I told the House I had been petitioned repeatedly by persons at the East End of the metropolis to do something to bring them into a better condition. Curiously enough, I received only yesterday from one of the parishes that is rated highest—Whitechapel—a memorial on the subject; and, if the framers of that memorial had looked into the Bill which I propose to submit, they could not have put forward more accurately the points which they desired that I should take up, both as to the direction and extent of the changes that are recommended. I will not read that memorial at length; but I may state its substance. The memorialists

> "Consider that the following provisions leave each union still to be responsible and chargeable with precisely those expenses and their administration where only indiscrete and corrupt expenditure could occur, and so supply a guarantee to all parties against the increase of pauperism by ignorant, partial, and profuse bestowal of the public funds."

They propose that we should put certified and district schools upon the common fund; and that lunatics, imbeciles, the salaries and wages of permanent officials, fees for vaccination, small-pox and fever hospitals, and so forth, should be charged to the common fund. That is exactly what I propose to do. I propose, in the first instance, to charge to the common fund the lunatics and imbeciles. I cannot consider that an unreasonable step. When the settlement of these persons cannot be ascertained, they are charged to the county in county asylums, and counties find the buildings, and it cannot be contended that lunatics belong more to one part of the metropolis than they do to another, though all have an equal interest in seeing their necessities adequately and comfortably relieved. Besides, it is one of those items which cannot be jobbed; you cannot make lunatics for the purpose. It is not as in the case of ordinary sick persons, who in hospital would be charged to one fund, and out of hospital to another. Again, there are many reasons why the salaries of the medical officers, the officers of dispensaries, and the charge for medicines should be a charge on the common fund. At this moment half the medical officers' salaries are charged upon the Consolidated Fund. This was done by Sir Robert Peel, and in practice it has been attended with no evil consequences. And in dealing with the salaries of these gentlemen, and placing them upon the common fund, a check remains with the Poor Law Board, without whose consent no salary can be given. [Sir GEORGE GREY: The common fund of the whole metropolis?] The common fund of the whole metropolis. In speaking of it, I have called it shortly "the common fund." Then, as regards the salaries. I do not mean the salaries of assistant overseers and collectors, but the salaries of all officers actually engaged in the administration of poor relief ought, I think, to be placed on the common fund. In many cases, also, I think when this is done improvements may be introduced. Poor persons have to travel frequently to great distances to obtain outdoor relief, and it is very desirable that there should be more relieving officers, or more points at which they can obtain assistance. At present I believe the very applications for assistance often bring evils in their train; for by crowding together in large numbers at a particular point a long detention is caused, the poor have their sickness or infirmity much increased by being kept in the snow or the rain for an unreasonable time. Registration and vaccination expenses I would put on the common fund. These are small charges, but it is most desirable that the system of which they form part should be made as effective as possible, with a view of getting rid of that horrible and disastrous complaint, the small-pox. For the same reason I would establish the small-pox and fever hospitals, and pay the expenses out of the common fund. Small-pox and fever are not things the relief of which can be traded in. Nobody will go into a small-pox or fever hospital who has not one of those diseases. Patients such as those endanger the health of the whole population if they are not properly cared for, and if means be not taken to prevent the infection from being spread. I now come to the children's schools. Great efforts are at present being made on behalf of education, some calling for compulsory education, and some for other systems. The district schools, and certified schools, and schools under the Inspectors of the Poor Law Board, are working admirably as separate schools. I propose by this Bill that we should have separate schools, and that the maintenance of the children shall be paid out of the common fund of the metropolis. The building will be provided by the district. I have now to consider what all these charges will amount to. I will not go into the details now, because I shall lay on the table papers that will give the fullest information on the subject. I propose to lay the Bill at once on the table; and I am sure that hon. Members will be able to judge better of details from reading the clauses than they would be from any description which I might give them. It is right, however, that I should answer some of the questions that will probably be put to me. The City of London is the richest union in the metropolis. What would be the effect on the City of London Union of these additional charges on the common fund. They would increase the rate by 3¾*d.* in the pound. I will take an extreme case on the opposite side—St. George's, Southwark. They would relieve that union by reducing the rate from about 3*s.* to about 2*s.* in the pound. Adding the whole of the additional or new charges which I think will arise from this measure if you adopt it, a sum of about £60,000 per annum will have to be raised. Now, 1*d.* rate raises £61,000; so I think that at that sum the metropolis may purchase a very great improvement at a reasonably cheap rate. Those improvements, if the House should think them improvements, may be effected at so cheap a rate as 1*d.* in the pound; and, although this rate will fall on the impoverished as well as on the richer unions, it is to be borne in mind that the former will be relieved by the allocation of expenses with which they are now charged on the common fund. In order that the money to be raised should be devoted to a common fund it will be necessary, as in the case of the police rate, to appoint a receiver under the Poor Law Board. And instead of going to the Metropolitan Board of Works, which should have nothing to do with the management of the poor, I propose to relieve them of their present duty of obtaining the funds for the houseless poor, and to enact that the Poor Law Board shall issue warrants for the different rates; that the receiver who shall give proper security, shall pay the money into the Bank of England, and that he shall distribute the funds according to the just proportions due to the several unions and districts. I suppose it will be asked, further, what will be the cost of the buildings? I have already said that, having regard to the statement of the Lunacy Commissioners, the lunatics for whom the Bill proposes to provide cannot be looked on as the ordinary class of lunatics who have some chance of being cured. Those who have a chance of cure will go to the ordinary asylums; and where the cases are chronic some patients might be transferred thence to the new buildings, instead of being kept where they would only be in the way of inmates more needing special care. If I give £50 a head as the cost of the asylums, there being 2,000 lunatics, the cost would be £100,000. Of course, I speak with great reserve on this subject. I know that the price of building has risen very much; but, looking at all the circumstances, I believe we may easily provide such buildings as we require for that sum. In addition to this, I think we should have to provide for at least 2,000 more sick; and, putting down the cost of the building necessary for their accommodation at £60 a head, we have £120,000 more. Then there would be the additional school building, which would cost from £50,000 to £70,000, and the fever and small-pox hospitals, which would take from £50,000 to £70,000 more. It would thus appear that the entire buildings would cost about £360,000, or say, in round numbers, £400,000. When it is borne in mind that many unions of the metropolis would be obliged to build under present circumstances, and that some of them are at this moment building, it will be seen that a very considerable expenditure for new buildings will take place, even should this Bill not be passed. For instance, the site on which St. Martin's Workhouse now stands has been bought by the Government, and the guardians will be able to build on a better scale with the money which they will receive for the present house. I think, therefore, that I am safe in saying £400,000 would be the extreme limit. It would be paid off in yearly sums. The payment for the first year would be £40,000; but the annual payments would become less after that, and for such a sum two-thirds of 1*d.* in the pound over the metropolis would be the required rating. There is one other provision in the Bill to which I wish to allude before concluding. It is one conferring on the Poor Law Board a power similar to one vested in the Irish Poor Law Commissioners, and which, though I believe never exercised, has been found effective in producing the desired results. Though I intend to submit to the House another measure applying to England generally, in respect of certain minor points, we have thought it right at once to ask Parliament to give power to the Poor Law Board to appoint proper officers in the event of the guardians or managers declining to do so. Though I believe it never will be necessary to exercise this provision, I think it will be advisable to give some less expensive and more speedy remedy than that of a *mandamus* in case of neglect to appoint nurses or other officers. Knowing this power to be vested in the Poor Law Board, I think those intrusted with the management of unions will always so act as that it will be unnecessary ever to exercise it. I have now only to thank the House for the patience with which they have listened to me. I can assure the House that I have not dealt with this question without having given the subject much thought and consideration. I have endeavoured as far as possible to come to a just and satisfactory conclusion, feeling as I did very deeply the responsibility cast upon me lest, while endeavouring to mitigate existing evils, I might take any step which should lead to the worst of all evils—an increase of pauperism in the country. I have limited, as far as seemed to me possible to do so, the burdens to be thrown on the poorer parishes. I feel very much for those parishes, and I cannot help throwing out a suggestion as to what might probably be done at a future time in the way of exceptional relief. Without any injury to our Poor Law system might not power be given to the Poor Law Board in the event of any sudden and extraordinary calamity—such as an outbreak of cholera—to raise a general rate, not exceeding 1*d.* in the pound, over all the parishes of London? In this way a sum of £60,000 or £70,000 might be at once placed at the disposal of the authorities for the relief of the afflicted. I only throw that out as a suggestion. It appears to me that it would afford us a means of meeting some of the evils with which we have had to contend, without leading to that still greater evil to which I have just referred. I feel satisfied that this Bill will be received by hon. Members on the Opposition side in a spirit of forbearance and impartiality. This is a matter to which no party feeling can attach itself. We have only one object in view, which is the benefit of this metropolis—to do a service both to the ratepayers and to the suffering poor, whether in workhouse or receiving outdoor relief. I commend the measure to the kind consideration of the House, assuring them that we are not so wedded to its every detail as not to give the utmost attention to any Amendment which may be proposed; but I would earnestly beg of hon. Members who wish for larger changes to take care lest in grasping at a shadow they should lose the substance which we now offer to the House. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. AYRTON expressed the satisfaction he felt at finding that the right hon. Gentleman the President of the Poor Law Board, at so early a period of his political career, had applied himself to a consideration of this important question, which, he was sorry to say, had been too long left in its present state. He could not forget that it was now ten years since he had brought the subject under the notice of the House; and in vain had he been looking for some action on the part of the Department over which the right hon. Gentleman presided. Even if it was true that the descriptions of what took place in some of the workhouses of our metropolis were somewhat exaggerated, he was glad that by the publication of those accounts the press had directed public attention to the administration of the Poor Law. If writers of equal ability to those who had described the workhouses attended at the bedsides of the poor who died in private houses, they would find material for reports as painful as those they had made on the condition of the unfortunate poor people who had had to seek indoor relief. He believed that the true source of all the evils connected with the administration of the relief to the poor in the metropolis, had been the injustice attendant on the unequal distribution of the charges in the different parishes. As long as that injustice prevailed, it would be impossible to deal with the consequences which resulted from it. He was glad the right hon. Gentleman had recognised that principle, and had proposed to extend the charge for those improvements through the entire community by means of what he termed a common fund. He was not going at present to complain of the measure of justice which the right hon. Gentleman proposed to accord; for last year he ventured to suggest to the right hon. Gentleman's predecessor that perhaps the best way of meeting the question of the equalization of the poor rates, would be not to attempt at once to subvert the whole administration of the Poor Law of the metropolis by one measure, but to proceed upon the principle of bringing from time to time other and different classes of the poor on a common fund as might be found convenient and practicable. The right hon. Gentleman had, undoubtedly, taken several classes with whom it would be comparatively easy to deal, and he appeared to have stopped at the very point where the real difficulties of the case commenced. Now, he did not complain of that; because if this tentative measure were found to answer, the system might be extended, and, assisted by the light of experience, they might extend the uniform charge to classes remaining excluded. There was only one point to which he wished to draw attention. The right hon. Gentleman had not explained very clearly what was to be the mode of administering the common fund. It was suggested that there were to be district Boards, and if so we should be going back to a plan which had been proposed twice before, and which on each occasion turned out a failure. For his part, he thought it a pity that the attempt should be made for the third time. There would be no merit in dividing London into new districts; but what was wanted was one entire administration which would deal with the whole subject, superintend the whole of the distribution of relief, in those cases which were embraced in the present Bill. Just in proportion as it was attempted to re-combine and re-group parishes and unions, would unnecessary expense be entailed, and the measure be rendered inefficient. The right hon. Gentleman had suggested that, if one Board only were established, it would eclipse and overshadow his own; but that was a rather narrow view to take of the question, and he might depend upon it that, as long as he presided with ability over his own Board, it would not be overshadowed by any other. At all events, he did not think the question ought to be embarrassed by any consideration of that kind. The question was, whether it were desirable to have one Board to superintend the infirmaries, dispensaries, and lunatic asylums, or whether there should be a multiplicity of Boards. The magistrates of the county were quite equal to deal with the lunatic asylums of Middlesex, and he saw no reason why a Central Board should not deal with the infirmaries, dispensaries, and lunatic asylums in the metropolis. He did not propose to discuss the practical bearings of the measure on the present occasion; but he hoped the right hon. Gentleman would not pledge himself too much to that part of his Bill. In conclusion, he expressed his opinion that we should do well to deal with this question by degrees; for, if the system now proposed were found to answer, it might be extended at any future time. He was desirous before he sat down to thank the right hon. Gentleman for the great attention which he had given to the subject, and to express the pleasure with which he had listened to his able speech.

VISCOUNT ENFIELD wished, in the first place, to tender his most grateful thanks to the right hon. Gentleman opposite (Mr. Gathorne Hardy) for the spirit in which he had approached this question; and, in the second, to assure him that the sole reason why the right hon. Gentleman the Member for Wolverhampton (Mr. C. P. Villiers) had not been present that evening was that severe indisposition compelled him to remain at home. With regard to the various details of the scheme, he could only say that every portion of it would receive the most impartial consideration on his part. He only wished now to tender his thanks to the right hon. Gentleman for having so earnestly addressed himself to this important subject, and to state why the right hon. Gentleman the Member for Wolverhampton had not been present to hear his speech.

MR. BRADY also thanked the right hon. Gentleman for the industry and ability he had displayed since he had presided over the Poor Law Board, and had brought to bear upon this important question. It was quite clear that he had paid great attention to it, and had considered it in a spirit of perfect impartiality. The alterations now proposed were highly important in a medical point of view, and would remedy many of the evils the pressure of which was now most severely felt. After paying a high compliment to the editor of *The Lancet* for the considerable expense to which he had put himself for the purpose of collecting accurate and ample information on this subject, the hon. Member proceeded to say that he hoped medical officers would for the future be freed from the influences which had hitherto been brought to bear by the guardians most injuriously upon the proper performance of their duties. They were at the disposal of the guardians, who might dismiss them or continue them in their offices as they thought fit; and it was well known that in many instances medical officers had been turned out or harassed out of their office because they were disposed to order for the patients more nourishment than the guardians approved of. As long as this was allowed the administration of the medical department of the Poor Law must continue to be unsatisfactory. The medical officers ought also to be better paid. If this were done the complaints which had been heard of the inefficient performance of their duties would not have to be repeated; but it was unreasonable to suppose that, while they were miserably underpaid, they would be found ready to devote their time and to endanger their lives cheerfully in attendance upon the poor. It was a piece of injustice to the poor so long as their medical men continued to be thus underpaid.

MR. LOCKE said, that as he had always taken the deepest interest in this subject, he was unwilling to let the opportunity pass without tendering to the right hon. Gentleman (Mr. Gathorne Hardy) his thanks for the introduction of the Bill, and likewise for the pains which he had taken in investigating the question, and the great ability he had displayed in introducing his Bill. When he waited upon the right hon. Gentleman with the deputation which had been referred to by him that evening, he saw that the sympathies and views of the right hon. Gentleman were sound, and that whatever was done would be done in the right direction. The right hon. Gentleman had only stopped short of carrying out the complete proposal of the deputation—namely, the equalization of the poor rates in the metropolis, because he thought certain difficulties would arise from there being no sufficient check upon a too lavish expenditure in the relief of the poor. He believed, however, that as soon as the present plan was adopted, it would be found that the principle of the Bill might be safely extended to the equalization of the whole poor rate throughout the metropolis. The Report of the Poor Relief Committee did not, indeed, as the right hon. Gentleman had said, contain a direct recommendation in favour of the equalization of the poor rates of the metropolis; but it stated that the circumstances of the metropolis were so peculiar that in any legislation to extend the area of charge or management it would be necessary to have regard to those circumstances. With respect to some of those peculiarities which pressed so heavily on the poorer parishes, there was no doubt that the Bill of the right hon. Gentleman would provide a remedy, though he did not pledge himself to all the details of the Bill, which would be matter for great consideration when they were before the House. But in the principle of the Bill he heartily agreed; and, with other hon. Gentlemen, he thanked the right hon. Gentleman for the great labour he had bestowed on the subject, and the distinguished ability with which he had treated it, and for the proposals contained in the Bill, which would be appreciated and approved of by the whole metropolis.

MR. ALDERMAN LUSK said, that all must admire the spirit in which the right hon. Gentleman had approached a difficult subject, the clear and lucid statement he had made, and the tone and temper in which he had brought the matter forward.

Motion *agreed to.*

Bill for the establishment in the Metropolis of Asylums for the Sick, Insane, and other classes of the Poor, and of Dispensaries; and for the distribution over the Metropolis of portions of the charge for Poor Relief; and for other purposes relating to Poor Relief in the Metropolis, *ordered* to be brought in by Mr. GATHORNE HARDY and Mr. EARLE.

Bill *presented,* and read the first time. [Bill 9.]

TRADES UNIONS BILL.

LEAVE. FIRST READING.

MR. WALPOLE, in moving for leave to introduce a Bill for facilitating in certain cases the proceedings of the Commissioners appointed to make inquiry respecting trades unions, and other associations of employers of workmen, said: The Bill, Sir, I now ask leave to introduce is of a somewhat unusual character, and the circumstances which have given rise to it are also peculiar. I will briefly refer to them. Many hon. Gentlemen will recollect that in the autumn of last year a very violent outrage was committed in Sheffield, an attempt having been made to blow up the house of a Mr. Ferneyhough, with its occupants. Large rewards were offered for the detection of the perpetrators of this atrocious deed. The Government, in answer to appeals made to it, also offered a reward, and a promise of pardon to any one concerned, except the actual perpetrator, who would give information on the subject. All these offers and promises failed, and the perpetrator of the deed is still unknown. In consequence of the failure of these efforts to discover the guilty parties, application was made to the Government, on the part of those most intimately connected with the trade of Sheffield, that extraordinary measures should be taken for the detection not merely of this offence, but of similar crimes before committed. A deputation attended at the Home Office, headed by the hon. Gentleman the Member for Sheffield (Mr. Roebuck), and he stated, on the part of the inhabitants of Sheffield, how earnestly they desired that the Government should take some steps for the discovery of this deed. It was pointed out by the deputation that other and repeated offences had been committed of a similar character, some of less, some of equal atrocity; and there was placed in my hand a list of 200 cases within the last twenty years, in which it was alleged that workmen had been assailed. First of all they had been warned by threatening letters, then they had their tools injured and their leather bands destroyed, and finally incendiarism and gunpowder had been introduced when the other warnings had been found to be insufficient. Under these circumstances, it was pressed upon the Government that even if only to prevent suspicion resting upon the wrong persons, it would be necessary to confer extraordinary powers, and that the Government should apply for them to the Legislature. This deputation was followed by another, headed also by my hon. and learned Friend the Member for Sheffield, from what are commonly known as trades unions, which pressed upon the Government with equal earnestness the importance of taking extraordinary measures for discovering the real perpetrators of these outrages. I think I cannot do better than read to the House the words of the hon. Member for Sheffield, addressed to myself on the part of those who then attended with him. Speaking of the trades unions, he said—

"They believe that a full inquiry will prove that trades unions have been and are of great benefit to the working classes and through them to the country at large; that they are wholly innocent of any such foul proceedings as are laid to their charge; that their conduct has been wise and just to their employers as well as themselves; and that the more searching is the inquiry the more patent and obvious will appear the wisdom of those who have directed the proceedings of these unions, and the immense advantage to trade and the country at large from their existence. Such being their firm conviction, they earnestly pray you to accede to their request, and that you will move the House of Commons to pass a law creating a Commission with ample powers to make all requisite inquiries into this most momentous subject, and that you will support such Motion with all the powers of this Government."

I felt it to be my duty to communicate to my Colleagues the appeal thus made to me, and to submit to them that an application of this kind, coming both from the employers and the employed, rendered it necessary to consider first whether Parliament should not be applied to for extraordinary powers with reference to these outrages; and, in the second place, if such an application were made, whether the opportunity ought not to be taken of inquiring fully and completely into the working of trades unions and similar associations. The Government considered that such an appeal could not be resisted; and the only question, therefore, in their minds was whether the inquiry should be limited, in the first instance, to the occurrences at Sheffield, or should embrace the whole subject to which I have referred. As regards Sheffield, I think it will be admitted on all sides that, in the face of the double appeal made to us, we could not but accede to the desired investigation. That town is, in some respects, peculiarly circumstanced with regard to trades unions. I am afraid I must say, in passing, that it has obtained an unenviable notoriety for outrages of this description. But there are also circumstances peculiar to it which make it the most advantageous place in which an inquiry such as that now proposed could take place. In Sheffield there are a large number of trades unions; many of these are in association with others, and there are some trades without unions at all. There is also this further peculiarity, that the difference between the workman or artisan and the employer or capitalist is less broad and distinct, at least, in the cutlery trade than it is in most of the other manufacturing districts of the country. The line between the employers and the employed in the great majority of the large manufacturing towns is plain and obvious. The capitalists provide everything except the labour. But in the cutlery trade the artisan not merely furnishes his labour, but he rents what are called the wheels, and in that respect he is master of his own time and of his own resources. These wheels, connected by bands with the water wheel, are thus rented by the artisan, the result being that in this double capacity—partly as owner of the wheel and partly as workman—he is not merely in those capacities master of his own time, but he is also capable of sustaining severe injuries at the hands of any discontented workmen who may think they have reason to find fault with him. A common way of showing resentment against a fellow-workman is to deprive him of the tools of his trade, steal his wheel-bands, or disable his machinery in other respects. At last, if these proceedings prove ineffectual, recourse is had to the more flagrant outrages to which I have already referred. In this state of affairs it is impossible for Parliament to shut its eyes to the importance of having a thorough investigation set on foot, especially in the face of the applications which have been made by all parties for inquiry. The Government have therefore arrived at the conclusion, in regard to Sheffield, that it is for the benefit of all concerned that special investigation should take place; and I have now to ask leave to bring in the Bill of which I have given notice. But this further point was brought specifically under my notice by two deputations, headed by the hon. and learned Member for Sheffield — namely, if you have an inquiry at all, has not the time come when the fullest inquiry should be made into these trades unions and other associations? Is it not desirable that the inquiry should be in the largest and most comprehensive form, so that the evil or good of these unions may equally be brought out, and the law complained of on the one side or the other so improved, as to contribute to the mutual benefit both of the employers and the employed? That was the grave and difficult question submitted to the Government in the course of the autumn; and it appeared to the Government that there were two reasons why such an inquiry would be most advantageous. The first is the uncertain, and I may say, after looking very fully into the question, unsatisfactory state of the law. The second is that the subject is but ill understood by those who are most interested in it. The fuller the inquiry, the better will the subject be understood by the country. The facts of the case being brought to the knowledge of an impartial tribunal, it will then report to the Queen and to Parliament the result of their inquiries before legislation is attempted. These are the reasons which appear to me to be absolutely irresistible in the present state of affairs in favour of such an inquiry. Upon both I may take the liberty of adding a few words. The law of this country, independent of the common law —the doctrine of conspiracy—is entirely based upon the Act passed in the sixth year of the reign of George IV. Before that Act was passed, from the earliest period, the law relating to combination was in every respect adverse to the workman. The earliest statute relating to combination was passed in the reign of Edward III. From that time to the reign of George III. a series of statutes were passed prohibiting combinations, either for the purpose of raising wages, or for the purpose of limiting the hours of work, or for the purpose of attempting to control any manufacture, or for imposing restraints upon masters, either with regard to the hire of assistance or the employment of labourers. The object of some of these statutes nobody probably would find fault with. But the object of others was a direct interference with the freedom of labour. It was under these circumstances that in the year 1824 Mr. Hume obtained the appointment of a Committee of this House, which went fully into the whole subject, and that Committee reported that the law respecting these combinations had not prevented them—that in spite of the law combinations existed—that they existed in the worst form in which combinations could exist—namely, as secret societies with secret oaths. The Committee drew from these facts the natural conclusion that such a state of the law could not properly be maintained. The Act of 6 *Geo.* IV., framed on the Report, enabled workmen, if they could, to obtain from their employers higher wages, or more limited hours of work; but, at the same time, the Committee condemned *in toto* any attempt to continue such combinations, if they were to exercise by violence or threat any restraint upon the freedom of others in the prosecution of their work or in the employment of labour. This is clearly shown by the Resolutions of the Committee, the preamble of the statute, and the speech of Mr. Wallace, the President of the Board of Trade, who introduced the Bill. The seventh Resolution come to by Mr. Hume's Committee runs as follows:—

> "That it is the opinion of this Committee that masters and workmen should be freed from such restrictions as regard the rate of wages and the hours of working, and be left at perfect liberty to make such agreements as they may mutually think proper."

And the eleventh Resolution asserts—

> "That it is absolutely necessary, when repealing the combination laws, to enact such a law as may efficiently and by summary process punish either workmen or masters who by threats, intimidation, or acts of violence should interfere with that perfect freedom which ought to be allowed to each party of employing his labour and capital in the manner he may deem most advantageous."

The preamble of the statute states that—

> "It is expedient to make further provision as well for the security and personal freedom of individual workmen in the disposal of their skill and labour as for the security of the property and persons of masters and employers."

Mr. Wallace's remarks are in the same spirit as the Resolutions and preamble which I have quoted, and I look upon his speech as the key to the measure which was passed. Mr. Wallace said—

> "He was no friend to the principle of the laws which had been repealed. He did not wish to see them re-enacted, but he wished that the common law as it had stood before should be again brought into force. . . . By that law sufficient powers were given to the workmen for the preservation of their own interests. They were permitted to meet for the purpose of obtaining an increase of their wages; but if they went beyond this, and attempted to mix up any intimidation of others in their schemes, it was going too far. The object of the Bill was to keep up this distinction, and everything beside was left to the operation of the common law. . . . The principle of the Bill now before the House was to make all associations illegal, excepting those for the purpose of settling such amount of wages as would be a fair remuneration to the workman."—[2 *Hansard*, xiii. 1404.]

Mr. Wallace should have added—and no doubt it was his intention to add—that associations would also be permitted for the purpose of settling such amount of wages, and also regulating such hours of labour, as would be a fair remuneration for the workman. That was the object of the Bill. The principle was simply this—to draw a distinction between the use and the abuse of that liberty which capital and labour had an equal right to claim, and that was, I have no doubt, the principle which was to be substituted for the law which existed before. The desire of Parliament was to give liberty to labourers to act in combination when their object was legitimate and reasonable, and to restrain them from combining to abuse the liberty accorded to them. It was intended, therefore, to leave untouched the common law, and nothing was done with reference to that in the Act of Parliament. The consequence has been that in leaving untouched that part of the subject questions soon arose which complicated the matter very much—namely, how far the common-law doctrine of conspiracy was applicable to trades unions. There are three points which show how unsatisfactory is the state of the law at the present moment. First, with reference to the common-law doctrine of conspiracy, a dictum was laid down by one of the Judges—that although a person, a single individual, might do an act which would not subject him to an indictment, yet if two or more individuals did the same act they might subject themselves to an indictment for conspiracy. And the illustration given by the learned Judge was taken from the wages question—namely, that a single workman was perfectly at liberty to insist that he would not work unless he had a certain amount of wages; yet if two or three workmen combined for that purpose, in the eye of the law it amounted to a conspiracy. No doubt a more liberal and a more just interpretation has since been adopted; but still the law is not clearly defined, for according to that interpretation, although it is truly said that every conspiracy implies a combination, every combination does not necessarily imply a conspiracy; and I believe the law at this moment may be taken to be that a combination to constitute a conspiracy must be the combination of persons to do an unlawful act, or to do an act which may be lawful by unlawful means. But, then, the House will see that that very definition of combination and conspiracy leaves one point entirely uncertain, and it is owing to that uncertainty that considerable difficulty has arisen in several recent cases, and especially in the last case. The uncertainty is as to what is and what is not unlawful. As applicable to this question, there are two cases of great importance—the one that of "Hilton *v.* Eckersley," and the other that of "Hornby *v.* Close." In the former case several employers bound themselves in a bond, under a penalty of £500, not to employ workmen except upon certain terms and conditions. One of those who had subscribed acted in opposition to the agreement, and an action was brought against him to recover the penalty to which he had rendered himself liable. The Court decided that, although there was nothing in the bond or the subscription to render it so illegal as to subject the subscriber to criminal proceedings, yet, inasmuch as the nature of the bond implied a restraint on trade and manufacture, it was illegal in another sense—that is, it could not be enforced in a civil court. The case of "Hornby *v.* Close" was just the reverse of this. In that case a number of working men, forming themselves into a society, had placed their money in the hands of a treasurer, and brought an action to recover the money. The claim was resisted on the ground that, though some of the rules of the society were such as were usually adopted by friendly societies, yet others were such as regulated the action of trades unions, and were calculated to act as a restraint upon trade. The judgment of the Lord Chief Justice has put before us very plainly this question as to the legality of the Act, and of its illegality at the same time as regards any action in the civil courts—

> "He quite agreed with Mr. Mellish that if the main object of the society was that of benevolence, though the rules might have gone a little further or a little less, that it was one coming within the 9th section of the Act; but here the very purpose and existence of the society was not merely that of carrying out those objects for which benevolent societies, so-called, were established; but also for the purpose of carrying out a trades union, under a very generally understood combination by which men bound themselves not to work except under certain conditions, and to support themselves when out of employment in conformity with the interests and wishes of the body at large. He was far from saying that a trades union so constituted, and for such a purpose, would bring the members within the criminal law. On the same principle that a combination of masters for a certain purpose was so far illegal in respect of civil rights that it could not be enforced, so he thought that a civil action brought on these rules would be held to be illegal. He thought, for two reasons, that this society could not be brought within the provisions of the Friendly Societies' Act—first, because the purposes for which trades unions were organized were not analogous to those of benefit societies; and secondly, because this arrangement, though not criminal, yet, being in restraint of trade, they were by the law of the land illegal."

Now that state of the law is certainly not satisfactory. It ought to be more clearly defined what are the rules which make it illegal for any combination of persons to take place; because unless it is, the right which they have of enforcing from those who have their money any civil right is very questionable. It ought also to be so defined, that the members of these societies may not under cover of a benevolent purpose attempt to do something that is contrary to law or in restraint of trade. The question then arises whether the rules of these societies cannot be so regulated by law as to draw the line between that which is legal and that which is illegal; so that in the one case persons may know that if legal their rights will be secured, and that if illegal they ought not to attempt to enter into such societies. In saying this I do not wish to give an opinion as to what should ultimately be the law of the land, because that must depend upon the result of the inquiry about to be instituted. On the one hand, when you find these societies extending, and increasing in magnitude, and consider that they were originally established to give themselves perfect freedom with regard to their own labour, it is impossible to ignore their existence or to deny their claims. On the other hand, if they attempt to obtain through the instrumentality of these combinations something which the law does not allow, and cannot allow, then the line ought so to be drawn that they ought not to be permitted to claim a right which is not given to them. But it appears to me that, do what you will—even if you can distinguish, which I believe you may, between what will give these societies a legal existence and that which ought to be restrained if beyond the law—yet one of the greatest evils of all—that of locks-out on the one hand and strikes on the other—will not be lessened until you can find something by which the differences between the employers of labour and the employed can be satisfactorily settled. I consider that one of the most important, if not the most important, objects of inquiry will be, whether arbitration or conciliation courts, as they are called, or some other tribunal may not be established, in which both parties would have equal confidence, for the purpose of adjusting their differences before they arrive at that point which is fatal, not only to themselves, but to the best interests of the country. It will be necessary therefore that the Commission, if appointed, shall have some person of great judicial eminence to direct the inquiry, so as to leave the law no longer in its present uncertain and unsatisfactory state, and to suggest for the mutual satisfaction of both employer and employed some tribunal by means of which their differences may be adjusted. I believe that no legislation whatever can be more important than that which would accomplish this great and most desirable object. I said before, that it was not merely on the ground of the uncertainty, and therefore, to some extent, the unsatisfactory state of the law, that I thought the time had come when this inquiry should be made. I said also that the subject was imperfectly understood, and, from all I can hear, both on the part of the masters and of the men, they do not seem to have been brought into such a position that the views of each could be thoroughly understood by the other. Although both have given much consideration to the subject from their own point of view, the different opinions entertained respecting it have never hitherto been brought before one tribunal where they can be compared and sifted, and where each party may understand the views of the other. If this inquiry attains that object, we shall then have before us, for the purpose of legislation, a full and complete exposition of the views and opinions on both sides, in order that we may then settle the law upon a satisfactory basis. The people of Sheffield, workmen as well as masters, having solicited inquiry in order to detect the atrocious crime lately committed there, I venture to think that the opportunity may well be taken, and ought to be taken, to consider the whole subject, in order that Parliament may afterwards apply the best remedy which can be devised. It was said on the first night of the Session by my right hon. Friend (Mr. Gladstone), alluding to the paragraph in the Queen's Speech upon this subject, that he hoped those who recommended the Commission did not mean to interfere with the perfect freedom either of capital or of labour, so long as nothing was done, by means of these unions and associations, to injure the freedom of trade. I hope that the few words I have spoken to-night will show that no such intention is entertained by the Government. What they desire through the Commission, and the powers which they will ask Parliament to confer on the Commission, is, to draw the line which ought to be drawn between perfect freedom of labour as well as capital, and those illegal acts and acts of violence, threat, and intimidation, which are as detrimental to workmen as they are to masters and to the country at large. If I wanted one proof to show that this is the sole desire of the Government, I believe I should have nothing further to do than to read the words of the Commission. Her Majesty has directed the Commission to inquire and report on the organization and rules of trades unions and other associations, whether of workmen or employers, and to inquire into and report on the effect produced by such trades unions and associations upon workmen and employers respectively, and on the relations between workmen and employers, and on the trade and industry of the country, regard being had to the investigation of any recent acts of violence alleged to be promoted, encouraged, or connived at by such associations in Sheffield, with power to suggest any improvements in the law with respect to the matters aforesaid, or with respect to the relations between workmen and employers. The Commission will thus have to consider these great subjects —namely, the effect of these unions upon workmen and employers, and their relations, and the effect they now have or are likely to have upon the general trade of the country, with full power to report upon the whole matter for the mutual benefit of employers and employed. One word with regard to the Bill proposed. The Bill recites the Commission and the object of it, and then asks for power to inquire into the acts which have been perpetrated at Sheffield. It is confined to the investigation of the acts at Sheffield almost exclusively; because a roving inquiry of that kind is not an inquiry which Parliament would be likely to grant, nor would it in all probability lead to any practical result. There is, however, this power reserved, that in case application should be made to the Commissioners, and they should think it reasonable to extend the inquiry from Sheffield, then, with the sanction of the Secretary of State, a further investigation may be made. Powers are given by the Bill to compel the attendance of witnesses; and there is a power of examining witnesses on oath, and a further power of indemnifying them from the penalties which might otherwise attach to illegal acts which they had committed, on condition that they make a full and complete confession. These are the powers given by the Bill, and by these I hope that those acts which are done with so much secrecy, and which are attended by so much difficulty of discovery, may be put an end to, that the innocent may not be confounded with the guilty while the guilty may not be punished—that is not the object of the Bill—but be exposed, and a repetition of such acts be prevented. With regard to the Commission itself, it is proposed to make it as little of a partisan character as possible, and to attain that object, the names of those to sit upon it have been selected, one from the upper House of Parliament, four from this House, and four or five others from gentlemen outside the walls of Parliament who take a great interest in the subject, but who are not intimately connected with either the masters or the workmen. The President of the Commission is the late Lord Chief Justice of the Common Pleas, Sir William Erle, one I need not say, whose probity of character, judicial impartiality, and great ability, eminently fit him for the post. His life for a long series of years has been devoted to the benefit of his country, and he has secured for himself the universal esteem and respect of all parties. Lord Lichfield will be appointed from the other House. There is one whom I am sure the workmen, and the country generally, would have been glad to see appointed on this Commission — I refer to the hon. Member for Westminster (Mr. Stuart Mill); but he has declined to sit, on the ground that his duties in this House occupy too much of his time. I still hope that he may be induced to re-consider his decision. Then there is the hon. Member for Sheffield (Mr. Roebuck), who has taken a deep interest in the subject; the hon. Member for Lambeth (Mr. T. Hughes), Lord Elcho, and Sir Daniel Gooch. From outside the House the names of the following gentlemen have been added: Sir Edmund Head, Sir James Booth, and Mr. Herman Merivale. That makes nine members; but I ought to inform the House that I had a communication from a body of working men, urging that some working men should be put upon the Commission—or, if that course were not followed, that one or two persons, in whom the working men had entire confidence, might be appointed. My answer to them was, that I had endeavoured to avoid having a Commission with anything like a partisan spirit, and that if working men were added to it, masters must be added also. I, however, suggested that if it were satisfactory to them, they might recommend to me the name of some gentleman whom they would like to see upon the Commission, and the masters might do the same. In that way the names of Mr. William Matthews and Mr. F. Harrison were added to the number. I thank the House for the attention they have paid to me. I trust that good results will arise from the labours of the Commission. I hope its inquiries will tend to the mutual benefit of the employer and employed. Seeing that both masters and men agree in desiring an inquiry, and feeling perfect confidence that the inquiry will be properly conducted, I hope it will lead to results that will prove of permanent good to the country. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

Sir GEORGE GREY said, no one could doubt the importance of the subject; but with regard to the Bill itself, he did not quite understand whether the compulsory powers to be granted were to be limited to Sheffield or to extend over the whole of the country, or whether the powers of the special inquiry at Sheffield would compel witnesses to give evidence which might tend to criminate themselves, and subject them to severe penalties. He would reserve any opinion upon the Bill, however, for the present. With regard to the construction of the Commission, he would only say that he did not think that a better President could have been selected than the eminent Judge—Sir William Erle—who had presided so long over the Court of Common Pleas. He felt sure that the Commission would be conducted in the spirit which the right hon. Gentleman opposite (Mr. Walpole) desired. Of the other Members he would refrain from expressing any opinion. The composition of the Commission was a most important question; because, unless constituted in such a way as to give confidence to those whose interests were concerned, it would be found to produce very little benefit.

Mr. THOMAS HUGHES said, he felt the immense gravity of the inquiry on which they were about to embark, and was delighted to hear that the composition of the Commission had been to some extent enlarged, so as to introduce one member at least who would be able conscientiously to advocate and to explain the position held by the trades unions as militant bodies. There was one point which it was desirable to impress upon Her Majesty's Government. This inquiry must extend over a considerable time; and meanwhile, a recent decision had placed the trades unions outside the pale of the law. From the year 1824, when the combination laws were repealed, up to 1854, the position of those societies was simply outside the law. Their objects were not illegal; but, at the same time, they had no corporate powers of suing or being sued, and were not in any shape within the protection of the civil law. In 1853 and 1854 Mr. Sotheron Estcourt was introducing his amendment of the Friendly Societies' Acts, and he (Mr. T. Hughes) rendered the trades unions such help as he could to bring them into a recognised position in the eye of the law. They sent deputations to Mr. Sotheron Estcourt on the subject, and the result was that he introduced into the Friendly Societies' Act of 1855 the 44th and other clauses, which enabled trades societies, by depositing their rules with the Registrar of Friendly Societies, to come within the scope of the Act as far as regarded summary powers of dealing with fraudulent officers and members of their own society with whom there might be any dispute. For several years after no further step towards recognition was taken. But in the year when the Post Office Savings Bank Act was passed, the societies came forward and asked the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) to admit them to the same privilege as the Friendly Societies of investing their surplus funds in the bank. The right hon. Gentleman, with true statesmanship, granted them the privilege, so that they were then recognised for purposes of suing and being sued, and of investing their funds in Government securities. Then came the unfortunate decision of the Queen's Bench the other day, which entirely swept away all this recognition, and placed them absolutely outside the law of the country. Persons who knew much of the action of these bodies knew that a large portion of their action was that of provident societies, rather than of trades unions. They distributed thousands a week for purely benevolent purposes within the Friendly Societies Act. To his own knowledge that was the case with respect to one of these societies. Many of them had branches all over the country, and the treasurers of those branches were nominally members of the societies, but were generally publicans, in whose houses their meetings were held. The decision of the other day enabled dishonest persons to retain the funds of the societies, there being no legal process which would reach them. Therefore, rejoicing that this inquiry would be entered into, and hoping it would place the law on a much better footing, he would urge earnestly upon the Government the propriety of bringing forward some such measure as had been indicated by the hon.

Member for Oxford (Mr. Neate), so as to provide that, pending the result of the investigation, dishonest persons should not be enabled, by the late decision of the Queen's Bench, to retain money intrusted to them, while the societies had no remedy. As this inquiry could only be of service in the event of thorough confidence being felt by both sides, it was of the first importance that the House should take such steps as would restore that confidence by enabling the trades unions to deal with their own funds and to punish any who, in consequence of the decision, might abuse their trust. By adopting such a course Parliament would convince the working men that they were resolved to act throughout the inquiry in perfect good faith, and thus the labours of the Commission would be likely to result in a termination satisfactory to all parties.

MR. GOSCHEN said, he concurred with the right hon. Gentleman opposite (Mr. Walpole) as to the desirability of the proposed inquiry, but did not approve mixing up together two questions apparently akin, but in reality of a totally different nature. It was proposed that the Commission should inquire, in the first place, into the unfortunate outrages which had taken place at Sheffield, and then into the general effect which trades unions had upon the trade and industry of the country. These were both very proper subjects of inquiry; but the question was, whether it was quite expedient and quite just to refer them to the same Commission? Was it right to mix up a broad question of political economy with an investigation into certain local outrages? Was it right that a Commission appointed to inquire into one of the most serious questions of the day, affecting, as it did, the trade and manufactures of the country, should sit at Sheffield? He scarcely understood whether the compulsory powers asked for by the Bill to be vested in the Commission were to be limited to the Sheffield inquiry, or were to be exercised with regard to the broader question, which he understood was to be entered on at the conclusion of the other.

MR. WALPOLE said, he had not, perhaps, made himself clearly understood upon the point. The Commissioners were to have power to appoint examiners, who were to go down to Sheffield, under the direction of the President of the Commission, for the purpose of inquiring into the outrages which had taken place in that town. If an application were made to the Commissioners for inquiry elsewhere, and the Commissioners should think it reasonable so to extend the inquiry, then, with the sanction of the Secretary of State, a further investigation might be made.

MR. GOSCHEN said, these questions would be better gone into on the second reading; but he desired to know whether the Commissioners would be able to compel witnesses to attend upon any other questions except those connected with these outrages?

MR. WALPOLE said, they would not.

MR. GOSCHEN said, he was glad to hear the right hon. Gentleman negative such a supposition; as, in the first instance, there had been some fear entertained that the Commissioners would have power to compel the attendance of witnesses generally and examine them on oath, with regard to the great question as to how far the operation of these associations had been beneficial or otherwise to the manufacturing and other interests of the country. It would certainly have been a strong measure to call upon the secretary of a trades union to detail compulsorily, and on oath, the whole of the private affairs of the association with which he was connected. He must repeat his objection to the two subjects—the outrages at Sheffield, and the effect of the trades unions on the interests of the country—being treated together, as such a course was likely more or less to bias the minds of the Commissioners, by bringing before them prominently and from the very first, certain deplorable acts of a criminal nature in such a manner as to lead them to conduct the inquiry on the basis that the trades unions were connected with the outrages, and thereby more or less prejudice the examination into the broad question of the effect of these organizations on the trade of the country.

MR. ROEBUCK said, that the difficulty to which the right hon. Gentleman (Mr. Goschen) alluded did not exist. When Mr. Hume brought in his Bill to give freedom to workmen to sell their labour at the best price they could get for it, there had been stringent laws preventing them from doing so, and there was great doubt expressed when Mr. Hume's Bill was proposed whether it would not be injurious to the industry of the country. Since then certain acts had occurred which the masters said verified their anticipations of mischief, and that this Sheffield case was an instance. The people of Sheffield said they had done no harm, and would prove their innocence. The question arose whether the laws at present existing were beneficial, and he could not see what mischief could arise from an inquiry into the Sheffield outrage, which had been brought forward as an illustration of the working of those laws? One party said the disease was fatal; another said it did not exist. An impartial inquiry would elicit the facts.

Mr. NEATE said, he thought the two subjects of inquiry should be conducted separately. Even supposing that the investigation of the outrages at Sheffield would not prejudice the minds of the Commissioners against the trades unions, the House must look to the effect which would be produced upon the minds of the working men by the two questions being treated as one. The minds of the working classes were just now in a very sensitive state; and he did not think that it would be desirable to suggest to them, even indirectly, that the organization of the trades unions was in any degree connected with the crimes which had been perpetrated at Sheffield. He would have confidence in any Commission that might be appointed to inquire into the case. That, however, might not be the opinion of the working men of England, more especially as this Commission not only inquired into the facts, but also acted as the adviser of the Crown. It was therefore important not to do anything which would wound the sensibilities of the working men by mixing up two subjects not necessarily connected. He entirely agreed with the opinion expressed by the hon. and learned Member (Mr. T. Hughes) as to the propriety of restoring the trades unions to the position they had occupied before the late decision in the Court of Queen's Bench, which appeared to him to be in direct opposition to the expressed intentions of Parliament on the subject. It was a delicate matter to criticize the opinions of men so much above suspicion; but when Judges multiplied cases in which contracts were to be set aside as violations of public policy, they were not encroaching but treading upon ground which Parliament shared with them, and the recent decision was a very serious one, depriving these unions, as it did, of any legal status as benefit societies. Moreover, the discretion which was to be left to magistrates as to what degree of departure from the purposes of a friendly society rendered organizations illegal, was one which they were by no means fitted to exercise. Upon this ground alone it was desirable to pass a provisional measure exempting trade societies from the forfeiture of those privileges which they had enjoyed prior to the recent judgment; and he should defer proceeding with his Motion on that subject, in the hope that the right hon. Gentleman would see the propriety of his proposal.

Sir FRANCIS CROSSLEY said, that as a manufacturer, he had had a great deal to do with the employment of labour; and, as far as he could judge, the law as it stood enabled both the workman to sell his labour at the best price he could obtain for it, and the manufacturer to buy labour at the cheapest, without molestation. The establishment with which he was connected engaged a short time ago to build a warehouse; but the master mason found great difficulty with his men, who, notwithstanding that he increased their wages and shortened their hours of labour, all struck at an hour's notice. He said, that were he to submit to their demands he should soon have a repetition of the misconduct. The firm offered the master every assistance in their power; and after the landlord of a beer-shop, who had been found intimidating new men who sought for employment, had been summoned before a magistrate and sent for a term to Wakefield House of Correction without the option of a fine, and had his "topping" cut off—much to his astonishment—there was no further difficulty, and the work proceeded. There was a good deal of unreasonable feeling abroad that it was wrong for working men to stand to sell their labour at the best price; but it must be remembered that their labour was the only thing they had to sell, and the best thing to do was to leave these matters to take their natural course. Although his firm employed about 5,000 people, they had not had a strike for twenty-five years. It was a great mistake on the part of employers to suppose that the lowest priced labour was always the cheapest. If a man wanted to succeed in life, it was not by paying a less price for labour than his neighbours; because by paying a little more than others he would secure the best workmen in the district, and by having the best workmen he would be much better able to compete in the market than those who payed a smaller rate. As when they went to sell goods, so when they went to buy labour they must meet argument by argument, and in his opinion in the trades differences that had occurred the fault was quite as much with the masters as with the men. If there was not so much desire to run down the price of labour, and masters showed a more conciliatory spirit, there would be fewer strikes and outrages. If the law was imperfect, by all means let it be remedied. He thought it was not far from what it should be. They must not expect too much of Parliament. Anything practical that was to be accomplished must be brought about by the wise discretion of the masters and workmen in their dealings between themselves. If masters would try to get the best productions instead of the cheapest there would be fewer strikes.

MR. AYRTON said, he had been so often appealed to by friends of trade societies in reference to proceedings in that House, that he felt called upon to say a word upon the subject under discussion. No one could object to an inquiry into what had taken place at Sheffield; but the proceeding recommended by the Home Secretary was one which would be received with astonishment by the great body of the working people of the country. If he understood rightly, the Commission was to be appointed to inquire into the effect upon the industry of the country of trade societies legally and properly conducted. Parliament had long since recognised the legality and policy of trade societies. [Mr. WALPOLE dissented.] When Mr. Hume's Act passed, Parliament certainly recognised their legality. His hon. and learned Friend (Mr. Rolt) shook his head, and seemed to think that legal trade societies did not exist, but Parliament had certainly recognised the status of societies having legal objects in view. He entirely objected to the proposal of the Government that any Chief Justice, however learned, should sit in judgment on one of the gravest political questions of the day, and undertake to decide whether institutions which had long existed under the sanction of Parliament were or were not legal, and whether they conduced to the prosperity of the trade of the country. The inquiry would obviously be useless, unless if the Chief Justice's judgment were against trade societies they were to be repressed, and to return to the state of the law previous to 1824. It could have no other effect than to destroy any remaining feeling of confidence in the minds of the working classes with reference to the conduct of Parliament. It was quite another thing to inquire whether any abuse, any illegal acts, had been perpetrated under the name of trades societies. Nobody could better inquire into that subject than the late Chief Justice of the Common Pleas; but he hoped the right hon. Gentleman did not contemplate going beyond that. The right hon. Gentleman had suggested courts of conciliation or arbitration—was the Commission to investigate that subject? Some four years ago he had devoted to it much time in a Committee upstairs; a Bill had been carefully framed for the establishment of these courts, and it passed that House without opposition. It had been rejected, however, by the other House in the most contemptuous manner, without consideration, without reflection, and, he ventured to add, without intelligence. The House of Lords, therefore, were answerable for the present state of things, and any acerbity of feeling which might exist between employers and workmen. It was not necessary to have a Commission to re-consider that question. He hoped the labours of the Commission would be limited to the investigation of the illegal acts of trades unions, and that it would not enter into an inquiry whether acts perfectly lawful have been favourable or unfavourable to the trade of the country. The decision of the Court of Queen's Bench that a particular rule was illegal might be right; but the effect of the decision in making the society itself illegal was unreasonable. The most convenient course would be for the right hon. Gentleman at once to bring in a Bill to declare that illegal rules in benefit societies should not be enforced, but that the other objects of such societies, which were most beneficial to the working people and advantageous to the country at large, should remain. It was monstrous that, because some illegal rule had crept in, therefore funds which had been subscribed to meet cases of sickness should be left at the mercy of any one to swallow up for his own benefit.

THE ATTORNEY GENERAL: The hon. and learned Gentleman has founded his argument upon quite an imaginary opinion, which he has attributed to me. He seems to think that my opinion is that there is no such thing as a lawful trade society. I entirely disclaim entertaining such an opinion. I know that there are many legal trade societies. I entertain no doubt that the great majority of trade societies are legal societies. But it is also true that there are many of such societies which approach very near to the line of illegality. The whole object of this Commission is not to ascertain whether there are any legal or illegal trades societies, but to inquire into the actual operation of trade societies now existing. That is the point to be ascertained by this Commission —to ascertain their laws and regulations, and the nature of their operations. I think an inquiry of this kind is actually necessary to the legislation which all appear to think desirable. The point we have to settle is this. There is a broad difference between a criminal act and an illegal agreement. It is not a mere play upon words to make a distinction between a criminal act and an illegal act. The law recognises such a distinction, and the uncertainty of its application lies not in the law, but in the application of the law to the facts. An agreement may be wholly illegal, and yet the entering into it not necessarily criminal. All agree that general restrictions on trade are illegal; but agreements for that purpose, though illegal, are not for that reason merely criminal. The question of illegal agreements and their consequences is a fit subject for inquiry. I have no hesitation in saying that I have seen many decisions, pronouncing agreements null and void because they were in restraint of trade, which I much regretted. But to say that I would therefore sweep away this broad principle, which at any rate is something upon which the Courts of Law can rest in furtherance of an important public end, is an assertion which a bold man may make, but at which any man who has had experience in Courts of Law would hesitate. It appears to me that what is wanted on this subject is inquiry, with a view it may be to modify and to regulate the law, and, above all, to make intelligible to the working classes the principle that an act which is not criminal may be illegal, for upon that subject there is great confusion in their minds. If by inquiry you can modify or regulate this principle, and show the working classes that restrictions on trade, though not criminal may be illegal, I am sure you would be doing much to promote those benevolent objects which the hon. Member for Lambeth (Mr. Thomas Hughes) and others have at heart. The whole object of the inquiry is a beneficial one. It is a mistake to suppose that the Commission is to inquire into the trade outrages, and then into the general effect of trade societies. That is not so. The object of the Commission is to inquire into the nature of the laws regulating trade societies, and into the effects of those societies upon the working men and the employers of labour, with the view, amongst other things, to obtain information to enable us to consider how far we should modify, regulate, or qualify the principle that agreements in restraint of trade are illegal. Such an inquiry is all important. It is, of course, impossible to conduct it without reference to the outrages that have occurred; and it is also impossible satisfactorily to legislate upon the subject without further information.

Mr. W. E. FORSTER said, that the object of this Commision was so excellent, and it was brought forward in a spirit with which they must all so much sympathize, that he did not like to appear to approach it in a hostile spirit. If it were possible for the House by any means to put an end to differences between employers and workmen, no one would like to throw any obstacle in the way of the accomplishment of such an object. But, after the statements which had been made, he could not help thinking that the right hon. Gentleman the Home Secretary was attempting to do that which, in practice, would be found very difficult—namely, to make one Commission serve for two very different purposes, and which must to some extent interfere with each other. The Commission was first to ascertain by a general inquiry whether that House could with advantage adopt fresh legislation in respect to trades unions; and it was also, as he understood, next to discover, if possible, the perpetrators of acts of violence at Sheffield. These two matters were more fit for the consideration of two separate Commissions than of one. For the purpose of considering whether that House could with advantage adopt fresh legislation, he conceived that the Commission ought to be of a representative character; and he must say he did not see that there was any cause to object to the constitution of the Commission on that ground, particularly as the right hon. Gentleman had acceded to the request of the working men to have upon it a gentleman—Mr. Harrison — in whom, according to the hon. Member (Mr. Thomas Hughes), they reposed full confidence—as their advocate. It appeared to be fairly chosen. But surely a representative Commission was hardly a proper body to discharge the judicial function of discovering the perpetrators of acts of violence at Sheffield. For such a purpose a very small and absolutely impartial Commission, consisting of the late Chief Justice of the Common Pleas and one or two assessors, would be better suited. He admitted that there were grounds for a general inquiry; but he was of opinion, like the hon. Member for the West Riding (Sir Francis Crossley), that they must not be too sanguine as to what could be done. Far more could be effected by the influence of public opinion than by any law. Certain objects were to be aimed at. Every facility should be given to workmen, not only to sell their labour to the greatest advantage, but to combine for the purpose of obtaining, by all constitutional means, the best price for it. They ought, at the same time, to be prevented from coercing others. It was desirable that the law on this point should be defined, as it did not appear to be accurately defined at present. With respect to the late decision on trades unions, there could be no question that it had thrown many of them, whose objects were quite innocent, outside the pale of the law, and that was a state of things which was as adverse to the employer as to the workman, for nothing could be worse for an employer than to force his workmen into illegality by taking from them the protection which was denied to other associations. He was glad a noble Lord (Lord St. Leonards) had brought the subject of conciliation courts forward in another place. He thought that some good might be done by the formation of such courts as existed in France for the settlement of differences between employers and workmen. He again strongly recommended that the matters proposed to be submitted to the Commission should be kept distinct, and that two separate Commissions should be issued. If only one Commission were appointed, a great deal of time must be consumed before any Report could be made, and the workmen would have a right to complain that their case was prejudiced by being joined together with a special case of violence at Sheffield.

MR. BARROW said, he did not like to hear things stated as facts which were not facts. He believed there was great anxiety in the country that the organization of trade societies should be inquired into. He assured the hon. Gentleman the Member for the city of Oxford (Mr. Neate), that the most intelligent of the labouring classes with whom he was acquainted were now engaged in forming societies free and clear of trades unions. They called them "Free Labour Societies," because they were satisfied that from the conduct of trades unions labour was not free. The working classes would, he believed, repudiate the tyranny of the trades unions, whether this House legislated on the subject or not. But there was a strong feeling in the country for legislation on the subject.

MR. KINNAIRD said, he hoped the right hon. Gentleman would not be discouraged by the criticisms on his proposal which he had heard in the House, for he believed that the working classes were very anxious that this question should be taken up by the Government. The course proposed by the right hon. Gentleman would be attended with great benefit. He was on the Committee which had been referred to by the hon. Member for the Tower Hamlets, and he must say that the Bill to which his hon. Friend had referred did not pass because the public mind was not then ripe for its discussion.

MR. WHALLEY said, that there was a great desire on the part of the working men to have this inquiry instituted. He believed that something might be effected by this means in removing the difficulties attending the question of strikes. There could be no doubt that a man had a perfect right to obtain the highest wages which he could; but what was objected to in the interest of the working man himself, and also of the country at large, was, that there was a third power introduced between the workmen and the masters which took the form of a formidable protection, carried out by means of these trade unions. Large sums of money were raised by these unions for the purpose of sustaining the men while they demanded a particular sum for their work irrespective of the law of supply and demand. This was a system of protection which must defeat itself. The hon. Member (Mr. Ayrton) said that no result could be arrived at which would be satisfactory to the working class; but he (Mr. Whalley) had known of three extensive strikes which had been voluntarily abandoned by the men in consequence of their being convinced by argument that they were attempting to carry out a system of protection. As another reason for having this inquiry, he might state that in his own district, where efforts had been made to put an end to strikes, the most formidable difficulty which they had had to encounter were certain egregious fallacies which had been put forward under the authority of the hon. Member for Westminster (Mr. Stuart Mill). For instance, he was quoted on one occasion as having stated, in one of his authoritative books, that it was quite justifiable for workmen not only to combine for a particular sort of work, and for a fixed rate of wages, irrespective of demand and supply; but that further than this, they were justified in adopting rules for the purpose of preventing too great a number of persons from entering into that trade and so establishing an injurious competition. When such arguments were put forward, he thought that it was quite necessary that there should be an inquiry in order to find an answer to such opinions. For his part, he believed that the inquiry would be of the greatest benefit.

Mr. WALPOLE said, he thought that the hon. Gentleman (Mr. W. E. Forster) had somewhat mistaken the nature of this Bill. The object of the Bill was not simply to give Parliamentary powers to the Commission to detect the perpetrators of the outrages at Sheffield, but in the inquiry into trades unions and associations, they were to have regard to the outrages which were alleged to have been perpetrated by means of these trades unions and associations, and to see how far such outrages were or were not connected with the organization and rules of these trades unions and associations. It was therefore a part, and, indeed, a necessary part of the subject, according to all the regulations and to all the workings of these institutions, to see whether the unions had led to any great extent to acts of outrage and violence, such as had taken place. The hon. Gentleman would therefore see that if this Commission had been issued independently of a direction to inquire into the particular Sheffield outrage, still the Commission would not have done its duty if it had not inquired into the working of these unions in reference to all acts of aggression against workmen. It was therefore a necessary part of the inquiry; and that it should be carried on by a Commission having Parliamentary powers would only have this effect, that they could more thoroughly investigate the subject, and thereby enable Parliament to deal more satisfactorily with it. The hon. Member (Mr. Ayrton) enlarged upon the importance—in which he fully agreed with him—of having tribunals established for the purpose of adjusting the differences between workmen and their employers. The hon. Gentleman totally misapprehended him if he thought for a moment that he (Mr. Walpole) was not of opinion that the hon. Member took great pains to establish such tribunals. He was perfectly aware that this was so. So long ago as Mr. Hume's Committee, there was a recommendation that there should be means found for settling such disputes. They did not attempt to define the means, but very few attempts in that direction had been made in Parliament until lately. Although the hon. Member's Bill had failed in the House of Lords, yet it was, perhaps, in consequence of this that a noble and learned Lord had now taken up the subject. The failure of that Bill was no reason for issuing the Commission; but still, if there were to be a Commission, surely the investigation should be completed, and should include this branch of the subject. He believed that there was no part of the matter more important than that there should be tribunals in which both masters and men should have confidence; and he believed that they would be better constituted for having the opinions of masters and men directly brought before the Commission, which should, as it were, set its seal on that which would be the best mode of securing the desired end. The hon. Member (Mr. Neate) would find that it was not so easy a matter to alter the law in the point he alluded to. The real fact was that the whole question of the legality of these unions, with reference to questions like that that had recently arisen in the Queen's Bench, turned upon this, what were to be the rules which were to sanction the status of such unions, so that they might be able to enforce their civil rights against members of their own body, and also against strangers, without trespassing upon the laws of the land in those respects in which laws were deemed necessary for the freedom of trade, or for other purposes, which, if they were not observed, would enable such societies to commit acts which they were now not permitted to do. It was the rules of these societies upon which the difficulties arose. There was no difficulty if the societies were simply for friendly or benevolent purposes, legalized by the Act of George IV, apart from combining for the settlement of wages to be worked for and the hours of work; but if they went beyond into matters which the law did not recognise as legal, then there was established a state of things that might or might not be good, according to the rules for the organization of these societies. Although they could insist upon all their civil rights whilst they kept within certain bounds, yet beyond them they could not go until the Legislature had determined that what was now contrary to law should no longer be so. The hon. Member (Mr. Ayrton) said that this Commission would be taken in a spirit (which was certainly not intended) of an inquiry hostile to working men; but all he (Mr. Walpole) could say was, that he had at that time several applications from working men asking for inquiry. And, in conclusion, he would express his own belief that this inquiry would do a great deal of good, and be beneficial to all concerned in trade, as well as to the country in general.

Motion *agreed to.*

Bill for facilitating in certain cases the proceedings of the Commissioners appointed to make inquiry respecting Trades Unions and other associations of employers or workmen, *ordered* to be brought in by Mr. Secretary WALPOLE, Lord JOHN MANNERS, and Sir STAFFORD NORTHCOTE.

CRIMINAL LAW BILL.

LEAVE. FIRST READING.

MR. RUSSELL GURNEY, in moving for leave to introduce a Bill to remove some defects in the administration of the Criminal Law, said, the measure was not one of an extensive nature, and was entirely directed to the removal of evils which had come under his own observation in the Central Criminal Court, in which he had the honour to preside. The House was aware that at present ample means were taken to secure the attendance and provide for the remuneration of witnesses whose evidence was necessary to establish the guilt of the prisoner. He proposed by the Bill to extend that power, so that it should not be confined to the witnesses who were required to establish the prisoner's guilt, but should also apply to witnesses who might establish his innocence. That was a matter of great importance to the due administration of justice. When prisoners made statements in their own defence, he had not unfrequently felt ashamed in asking them whether they had any witnesses to call, knowing, as he did, that they had no pecuniary means of compelling the attendance of witnesses who might or might not prove their innocence. It was, of course, necessary to provide safeguards against the abuse of this privilege, the nature and merits of which would be best considered in Committee. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

THE ATTORNEY GENERAL said, he was requested by his right hon. Friend the Secretary for the Home Department, who was then absent, to say that any measure on such a subject introduced by the learned Recorder was entitled to great attention and respect. That point of the proposed Bill which provided for the attendance of witnesses on behalf of the accused was entitled to favourable consideration, although the power might be much abused unless carefully guarded. He, of course, offered no opposition to the introduction of the measure; but it must be understood that the Government would reserve to itself the right to form an opinion on the Bill and its details, unless it was laid before the House.

Motion *agreed to.*

Bill to remove some defects in the administration of the Criminal Law, *ordered* to be brought in by Mr. RUSSELL GURNEY and Mr. COLERIDGE.

Bill *presented,* and read the first time. [Bill 8.]

CONTROVERTED ELECTIONS.

MR. SPEAKER acquainted the House, that his Warrant for the appointment of Members to serve on the General Committee of Elections was upon the Table:—Warrant read as followeth:—

Pursuant to the provisions of "The Election Petitions Act, 1848," I do hereby appoint Samuel Whitbread, esquire, Member for the Borough of Bedford; James Clay, esquire, Member for the Town of Kingston upon Hull; The honourable Edward Frederic Leveson Gower, Member for the Borough of Bodmin; Sir Frederick William Heygate, baronet, Member for the County of Londonderry; George Sclater-Booth, esquire, Member for the Northern Division of the County of Southampton; and Sir William Stirling-Maxwell, baronet, Member for the County of Perth; to be Members of the General Committee of Elections for the present Session. Given under my hand this eighth day of February, 1867.

JOHN EVELYN DENISON, Speaker.

DUBLIN UNIVERSITY PROFESSORSHIPS BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a

Bill to open the Professorships of Anatomy and Chirurgery, Chemistry and Botany, in the University of Dublin, to all persons, irrespective of their religious creed.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. LAWSON and Mr. SULLIVAN.

Bill *presented,* and read the first time. [Bill 10.]

MINES.

Select Committee *appointed,* "to inquire into the operation of the Acts for the Regulation and Inspection of Mines, and into the complaints contained in Petitions from Miners of Great Britain with reference thereto, which were presented to the House during Session 1865."—(*Mr. Ayrton.*)

LIBEL BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to amend the Law of Libel, and thereby to secure more effectually the liberty of the Press, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. BAINES.

Bill *presented,* and read the first time. [Bill 11.]

House adjourned at a quarter before Ten o'clock, till Monday next.

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HOUSE OF LORDS,

Monday, February 11, 1867.

LAND TENURE (IRELAND).

THE MARQUESS OF CLANRICARDE said, notice had been given in the other House that Bills relating to the improvement of the tenure of land in Ireland would be shortly introduced. He was afraid that those Bills would not deal with the whole of the question, but only with a part of it; and as his wish was that the question should be very fully discussed when it came on in that House, he would, on Monday next, call the attention of their Lordships to the subject, and lay upon the table a Bill which was nearly the same as the one he introduced last year.

ESTABLISHED CHURCH (IRELAND).

MOTION FOR RETURNS.

THE BISHOP OF DOWN, in moving for Returns respecting the Established Church (Ireland), said, he did not intend to open up the great question of the Irish Church at present—a question which must some day receive solution at the hands of Parliament—for the present, he would content himself with stating that the rulers of the Church were quite aware that there existed defects in relation to the Established Church in Ireland which required remedy, and anomalies in its constitution, and in the distribution of its endowment, which required to be carefully considered and amended. No matter what the protestations of attachment to the Church might be, or however high the office he might hold in it, he could not look upon any one as a safe friend or a wise counsellor, who justified the one or palliated the other. As this question must sooner or later come before the Legislature, it was just, reasonable, and right that he should seek to place in their Lordships' hands reliable Returns, so that when the question came on to be discussed, their Lordships might be able to give their best attention to it. The enemies of the Church in Ireland sought its fall and destruction; but if the rulers of the Church would bring in a well-considered and wise measure of reform in the Church, their enemies' wild cry for destruction would awaken no response in the hearts of the people of Ireland, and would have no weight with thoughtful men. He would just add that he believed the Ecclesiastical Commissioners in Ireland disposed of the funds in their hands with great judgment and prudence.

Moved, That an humble Address be presented to Her Majesty for,

Return from the Ecclesiastical Commissioners (Ireland) of the Gross and Net Revenues of the Established Church in Ireland; specifying the various Heads from which such Revenues are derived, and including the Revenues of the Church now in the Hands of the Ecclesiastical Commissioners derived from Ecclesiastical Sources; Also,

Statement of the Charges and Deductions which constitute the Difference between Gross and Net Revenues: Also,

The Total Amount received by the Ecclesiastical Commissioners for the Purchase of Perpetuities: Also,

The present Amount invested: Also,

Payments to Vicars Choral and Curates of suspended Benefices; specifying to what Cathedral such Vicars Choral are attached, and the Names of the suspended Benefices, and Amount paid in each Case: Also,

Payments in Augmentation of small Benefices from the Funds belonging to the Ecclesiastical Commissioners, with the Name of each Benefice and the Amount of Augmentation: Also,

The Annual Amount paid by the Ecclesiastical Commissioners for the Payment of Parish Clerks Salaries: And also,

The Annual Amount paid by the Ecclesiastical Commissioners to provide Communion Elements.—(*The Bishop of Down.*)

THE ARCHBISHOP OF DUBLIN said, he was not able to support the Motion of the right rev. Prelate; but that was not from any desire not to see all anomalies in the

Irish Church removed, but simply upon the ground that these Returns would involve a vast deal of labour to a large body of persons, and that even if they were made they would be superfluous, as the information sought for was already in their Lordships' hands. Most of it was to be obtained from the Annual Report furnished by the Commissioners; some of the facts were to be found in an Act of William IV.; and Returns made on the Motion of Captain Stacpoole in 1864 gave other portions of the information now asked for. Under these circumstances, he would request the right rev. Prelate to withdraw his Motion, or if he did not do so he should ask their Lordships to negative it.

THE BISHOP OF DOWN wished to state that the most rev. Prelate was in error in stating that the Returns sought for were easily accessible, for the fact was they were spread over many years, and were set forth in different reports.

THE MARQUESS OF CLANRICARDE thought the Motion ought to be acceded to. The only reason given why these Returns should not be given in the form set forth, was that they would cause extra labour to some persons, but that was in truth no reason at all. The Returns asked for ought to be presented to the House in a compendious form. He certainly could not understand how their preparation could cost much labour, for the right rev. Prelate who offered the objection stated in so doing that the greater part of the information sought already existed, though scattered in numerous miscellaneous papers. A right rev. Prelate had moved for these Returns, and it would seem strange to the public if they were refused at the instance of his most rev. Brother.

THE EARL OF DERBY was desirous that every necessary information should be furnished; but out of the eight queries presented by the right rev. Prelate, information had already been given in reply to seven; and a Motion for a Return was at present before the other House, which would be agreed to by the Government. That Return would furnish the necessary information asked for by the eighth query. It seemed to him to be imposing unnecessary expense and trouble to call a second time for information which had already been given in another form.

THE BISHOP OF DOWN was surprised at the Government conceding to a popular assembly a demand which was refused when made in the higher branch of the Legislature. The Motion, too, in the House of Commons, instead of referring to one point only, was of a most voluminous character.

LORD CRANWORTH suggested that the right rev. Prelate should assimilate the terms of his Motion as regarded the information not already granted, with those of the Motion to be made in the other House of Parliament and which was to be given to the Government.

THE EARL OF DERBY had not the slightest objection to concurring in the right rev. Prelate's Motion if he would make it more agreeable to that moved in the other House. What he objected to was the furnishing the same information in different forms, a practice which would entail a great deal of unnecessary work upon the office.

On Question, *Resolved* in the *Negative.*

House adjourned at a quarter before Six o'clock, till To-morrow, half past Ten o'clock.

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HOUSE OF COMMONS,

Monday, February 11, 1867.

MINUTES.]—SELECT COMMITTEE—On Standing Orders *nominated;* Committee of Selection *nominated;* Printing *appointed;* Public Petitions *appointed* and *nominated.*

SUPPLY—*considered in Committee—Resolutions* [February 8] *reported.*

PUBLIC BILL—*Ordered*—Valuation of Property.

First Reading—Valuation of Property [12].

TURNPIKE TRUSTS.—QUESTION.

MR. KNATCHBULL - HUGESSEN asked the Secretary of State for the Home Department, Whether, during the recess, there has been issued from the Home Office any Circular addressed to the Trustees of those Turnpike Trusts which were scheduled for discontinuance in the Continuance Act of last Session; if so, what is the nature of that Circular, and do the Government contemplate legislation upon the subject of the turnpike system during the present Session? There was also a supplementary Question which he wished to ask—namely, Whether the right hon. Gentleman intended to re-introduce that compensation clause on the same subject which he had had the honour of inserting in the Continuance Bill of last Session, which the right hon. Gentleman omitted, but which being afterwards moved by the hon. Member for North Warwickshire was unanimously adopted in that House, though it was rejected in another place? As he had not given notice of his intention to ask this Question, he would, of course, postpone it if necessary.

Mr. WALPOLE: It will be in the recollection of the House that a vast number of turnpike trusts—many more than usual—were included in the Bill of last Session; and inasmuch as several persons were affected by that Act, they were promised at the time of the discussion that they should have an opportunity of stating their case before the Home Secretary. Accordingly, in the course of the autumn a circular was issued, inviting, in fact, any observations which they might have to make upon it. That is the answer which I have to make to the first part of the Question of my hon. Friend. With regard to the nature of the circular, I think I have explained that. As for the second part of his Question, as to intended legislation on the subject, I must frankly own that so great are the difficulties that I cannot at present promise legislation on the subject. As to the other Question of which my hon. Friend has not given notice, I would rather postpone my reply to it.

BUNHILL FIELDS BURIAL GROUND.

QUESTION.

Mr. CRAWFORD asked the Secretary of State for the Home Department, Whether the Government are aware that the Ecclesiastical Commissioners have received from the Corporation of the City of London an offer

> "To undertake the charge of the Bunhill Fields burial ground as trustees for the public, defraying the cost of watching, maintaining, and keeping it in a proper condition, planting trees and shrubs, keeping up the gravel walks, and preserving the tombs, so that it may form, within proper hours, and under proper regulations, a decent and ornamental open space of the Metropolis, covenanting that, in the event of failure in these respects, it should revert to the Ecclesiastical Commissioners,"

and that such offer has been declined by the Ecclesiastical Commissioners?

Mr. WALPOLE: There are some questions which it is hardly possible to answer with a single negative or affirmative, and this is one of them. I believe there was some such application made some time ago on the part of the City of London to the Ecclesiastical Commissioners with the view of preserving the burial grounds as an ornamental open space; but, inasmuch as there are large claims made on the City of London with reference to that subject, and as a vast deal of negotiation has been going on with regard to it, I believe the best answer I can give to the Question is to inform the hon. Gentleman that an unopposed Motion will be made to-night for the production of all the Correspondence on this subject, which I believe will supply all the information which the hon. Gentleman desires to possess.

RAILWAY TRAFFIC RETURNS.

QUESTION.

Mr. CRAWFORD asked the President of the Board of Trade, Whether the Returns of the "Number of Miles Travelled by Trains," printed on page 27 of Parliamentary Paper, No. 483, ordered to be printed 7th August, 1866, are made up by the several Companies referred to on one and the same principle?

Sir STAFFORD NORTHCOTE said, he was unable to state on what principle railway companies made up these returns. He believed that all the companies used the same form. And as they wished to know the number of miles proper travelled, exclusive of shunting and unprofitable travelling, he would next year alter the questions put to the railway companies, so as to meet the hon. Gentleman's wishes.

POSTAL COMMUNICATION WITH THE EAST.—QUESTION.

Mr. CRAWFORD asked the Secretary to the Treasury, If any steps have been taken towards carrying into effect the recommendations of the Select Committee of last Session with reference to Postal Communication with the East?

Mr. HUNT stated, that on the 1st of this month formal notice was given to the Peninsular and Oriental Steam Navigation Company to terminate their contract with regard to the India and China mails, so that Her Majesty's Government might be placed in a position to contract for the conveyance of mails once a week to Bombay. With regard to the contract for the conveyance of the Australian mails, Her Majesty's Government had thought it better to defer giving notice until after they had received from the colonies their replies to communications which have been addressed to them on the subject.

BARRICADE AROUND HYDE PARK.

QUESTION.

MR. DYCE NICOL asked the First Commissioner of Works, When the present barricade around Hyde Park is likely to be removed; and what description of Fence is to be erected in place of it?

LORD JOHN MANNERS: The Park Lane section of the fences is under contract to be completed by the 15th of October next. Other portions of the fences are contracted to be completed by the 15th of July next year. The character of the fence is a substantial one of iron, and I hope, to a certain extent, ornamental. It will be set in a granite curb.

PUBLIC RECORDS OF IRELAND.

QUESTION.

SIR ROWLAND BLENNERHASSET asked the Chief Secretary for Ireland, Whether the Government intend to take any steps to regulate the custody of the Records and Rolls of Ireland?

LORD NAAS: The attention of the Government has been directed to this question during the recess, and I hope to be able in the course of a very few days to submit a measure on the subject to Parliament.

ARMY ESTIMATES.—QUESTION.

CAPTAIN GRIDLEY asked the Secretary of State for War, When the Army Estimates will be laid upon the table of the House; and, whether they will be considered before the Navy Estimates?

GENERAL PEEL: The Army Estimates will be laid upon the table of the House on Monday next, and I shall bring them forward at the earliest possible period, of which I will give due notice. At present, I am unable to say whether they will precede the Navy Estimates.

FALSE WEIGHTS AND MEASURES.

QUESTION.

LORD EUSTACE CECIL asked the Secretary of State for the Home Department, Whether it is the intention of the Government to introduce a measure for the more effectual discovery and punishment of persons using false weights and measures, in order that a practice disgraceful to the trading community, and especially prejudicial to the interests of the poorer classes may be put a stop to?

MR. WALPOLE: I have to inform my noble Friend that it is the intention of the Government to introduce a measure on the subject.

JAMAICA—GENERAL O'CONNOR.

QUESTION.

MR. GILPIN asked the Secretary of State for War, When the Return ordered in August last referring to the Correspondence of the Horse Guards with General O'Connor will be laid upon the table?

GENERAL PEEL: In answer to the hon. Gentleman, I have to say that I have already laid the papers on the table of the House.

INSURRECTION IN CRETE.—QUESTION.

MR. GREGORY wished to ask the Secretary of State for Foreign Affairs, How soon the Papers will be laid upon the table with reference to the Cretan Insurrection?

LORD STANLEY: I laid them on the table ten minutes ago.

PARLIAMENTARY REFORM— REPRESENTATION OF THE PEOPLE.

Order for Consideration of so much of Her Majesty's most gracious Speech as relates to the Representation of the People in Parliament read.

THE CHANCELLOR OF THE EXCHEQUER: I move that the paragraph of THE QUEEN'S SPEECH that relates to the Representation of the People in Parliament may be read at the table.

Paragraph in Queen's Speech at the opening of the Session read, as follows:—

"*Your Attention will again be called to the State of the Representation of the People in Parliament; and I trust that your Deliberations, conducted in a Spirit of Moderation and mutual Forbearance, may lead to the Adoption of Measures which, without unduly disturbing the Balance of political Power, shall freely extend the Elective Franchise.*"

THE CHANCELLOR OF THE EXCHEQUER: I wish, Sir, on the part of Her Majesty's Government, clearly to convey to the House the interpretation which they put upon those gracious words that have just been read, and which, under their advice, Her Majesty deigned to address to her Parliament. They are significant words. Her Majesty from the

Throne appeals to the House of Commons, in deliberating on the most important question of politics—namely, the distribution of power in a State—that they should divest themselves of that party spirit which, generally speaking, is the legitimate and efficient, the customary and constitutional, influence by which all great public questions in this day are brought to a satisfactory settlement. Sir, Her Majesty's Ministers are the last men in this House who would depreciate the importance of party; they are the last men who would wish to derogate from its legitimate function. In their opinion party organization is the condition of Parliamentary government, and without it they see no security for either efficiency or independence in a popular assembly. Nor, least of all, Sir, on this occasion are they inclined in any way to refrain from appealing to the support of those with whom, for long years of public alliance and private friendship, they have been connected in this House. On the contrary, they feel—painfully and profoundly feel—that this is the occasion of all others when they would have most earnestly to appeal for a continuance of that support, of that confidence, of that sympathy, of that friendship, and even of that forbearance on which they before rested with assurance.

Sir, the meaning that they attribute to those words is that, under the circumstances in which the House finds itself, it was in our opinion expedient that Parliamentary Reform should no longer be a question which should decide the fate of Ministries. Sir, we have arrived at that conclusion with the conviction that it is one consistent with our duty and our honour as public men, and we hope that the House of Commons, notwithstanding that expression of opinion from a very limited quarter, after due consideration, will also be of opinion that such a course is compatible on their part with all those principles and all those sentiments that ought to influence public men. And, Sir, we have arrived at that conclusion, that it is not for the advantage of the country that Parliamentary Reform should be a question that should decide the fate of a Ministry, that it should not be what is commonly called a party question, for this simple but to us irresistible reason, that all parties in the State have attempted to deal with it, and all parties in the State have failed. In 1852 there was a pure Whig Government, headed by Lord John Russell, which dealt with this subject and failed. In the year 1854 there was a Coalition Government, headed by the Earl of Aberdeen, which attempted to deal with this question and failed. In the year 1859 there was a Conservative Government, headed by the Earl of Derby, which attempted to deal with this question and failed. In the year 1860 there was a moderate Liberal Government, headed by Lord Palmerston, which attempted to deal with this question, and failed. In the year 1866 there was a Government which I will not, notwithstanding the present rage for analysis, describe as an immoderate Liberal Government—headed again by Earl Russell—which attempted to deal with this question and failed.

There may be some who will urge these circumstances as arguments to show that the question is one which ought not to have been dealt with, that there was no necessity whatever to draw the attention of Parliament to its consideration. Sir, all that I have to say on the part of my Colleagues is that this is not the opinion of Her Majesty's Government. In the opinion of Her Majesty's Government, the seeds for, perhaps, the most considerable portion of those changes that we contemplate, were sown in the memorable Act of 1832. Until the Act of 1832 was passed the claims of the labouring classes to a share in our Parliamentary system were acknowledged, and their rights were enjoyed and practised. Although the mode by which they were asserted may not have been happily adapted to the circumstances of the present century, there can be no doubt that those claims were definitely acknowledged and acted upon. Before the Act of 1832, for example, it was possible for the labouring classes to return both Members for Preston, a town of now nearly 100,000 inhabitants; they might also have returned two for the city of Coventry, then, as now, the seat of an important and ingenious branch of our manufactures; and there were a great many places in England in which they exercised a considerable, if not a preponderating, influence. But it was thought fit at that time to abolish those rights and privileges. I think myself—I thought so then—that was a great error. It is fair to admit that, as they were then enjoyed and practised, those rights were, perhaps, ill adapted to our present social state; and though the labouring classes, in the most considerable seats of labour, might under the old machinery not have been represented, that was not a reason for abolishing the rights, but rather for remodelling them, and adapting them to the new circumstances with which statesmen then had to deal. Nor, Sir, did the abolition of those rights pass unregarded in this House. Those who were the framers of the Reform Bill, and who were supported with enthusiasm by powerful classes, were able then to override the objections from influential quarters. They were warned by some of the most eminent authorities of this House as to the danger and impolicy of the course they were pursuing. The memorable words of Sir Robert Peel on this subject are familiar to the House. He warned the Government of the day that in putting an end to the rights of freemen as they then existed, and terminating all those other means by which the householder in many boroughs registered his vote and exercised it, they were embarking in a course which eventually must involve them in great danger and inconvenience. The rights of those electors which were then attacked were not lost for want of advocacy—and advocacy of the highest and ablest character—in this House. One of the most shining lights of our time, Sir William Follet, brought those claims before the House on more than one occasion with that eloquence for which he was remarkable, and that power of argument for which he was distinguished. The rights of the existing generation were, in another place, not only vindicated, but saved by no less a person than Lord Lyndhurst.

Sir, I would not, especially after mentioning such names, refer to anything I have myself expressed. Under no circumstance, indeed, would I refer to anything I have said here, merely in vindication of myself or my own conduct. But if I have made a declaration upon a public question of importance as the organ of a party; if I have been requested by men of eminence to express an opinion upon some subject of public importance in this House, I think it is no assumption to refer to it, not as the expression of an individual, but, as in a certain sense historic, as illustrative of the conduct and opinion of a party. Now, Sir, in 1852, when I first had the honour of a seat on this Bench, the question of Parliamentary Reform was then rife, though it was then urged in a very different spirit, and with very different objects from those which now animate its advocates. In about the first week—certainly within the first month—of our accession to Office, it was absolutely necessary that we should come to a conclusion respecting the policy we should pursue upon that subject. At that time what was called piecemeal Reform was very much in fashion; and I think it was upon one of the Motions of the hon. Member for Surrey (Mr. Locke King), which he brought forward immediately after the formation of the Government of 1852, that it became necessary for me to consult Lord Derby and the most eminent of his Colleagues as to the line we should pursue respecting Reform. Perhaps the House will allow me to quote one passage from what I said on that occasion. I objected to the Motion of the hon. Member for Surrey, my objection being a broad one—namely, that Parliamentary Reform was not a subject which ought to be treated in a piecemeal manner; and I said, with reference to this Motion, and with the full concurrence of Lord Derby and of my Colleagues—

> "But I have also another objection to this Bill. I have often said to this House—I repeat it now, and it is the expression of a deep and sincere conviction on my part—that I think in the construction of that memorable law, the Reform Act of 1832, there was a very great deficiency, which consisted in a want of due consideration of the rights of the working classes to the franchise. . Under our old system, by the suffrages of the freemen, the political rights of the labourer were acknowledged by the Constitution. We virtually destroyed those rights. . . . I do not for a moment wish now to maintain that there were not strong reasons why the existing arrangements should be interfered with; but, then, I never heard a reason why a more satisfactory arrangement could not have been substituted in lieu of the old one. I trace much of the discontent in this country, which at times has been painfully felt, with regard to the Reform Act of 1832, to the omission to which I have adverted."—[3 *Hansard*, cxx. 1200.]

That will at least show that the question was one which, having been taken up originally, when the Reform Act was introduced into this House, by a party in the State not then successful, has since never been entirely deserted by them. On every fitting occasion there have been expressions of opinion similar to those just quoted; but I have read this extract because the declaration which the House has now heard was made by me as a Minister, after duly consulting those with whom I have the honour to act. Measures of disfranchisement of this kind could not now be tolerated; but in 1832 it was not difficult to carry them with impunity. The position of the labouring classes in 1832 differed from their position in 1867; but such was the excitement produced by the measure of 1832 in the country generally, especially among those influential classes who considerably benefited by it, and whose power was immensely increased by it, that it was utterly impossible that any policy which was projected by the authors of the Bill of 1832 could have been successfully opposed either in this House or by those who, outside the House, were more immediately interested in the question. That, however, which Sir Robert Peel told the Government of Lord Grey inevitably happened. He urged, as time advances and the country prospers, you will find the labouring class whose Parliamentary rights you are now destroying will take the opportunity of claiming again the privileges which you have thoughtlessly taken from them, and for which you offer no substitute. Since 1832 this country has, no doubt, made great progress. But it is during the last ten years that progress has been most remarkable. I will not now attempt to inquire into the causes, the particular causes, which have brought about that great advance. But I think I may say there is one sovereign cause which is at the bottom of everything, and that is the increased application of science to social life. That I believe to be the main cause of the vast changes we have seen in the condition and feelings of classes. We are all familiar with the material results which that application of science has produced. They are prodigious; but, to my mind, the moral results are not less startling. The revolution in locomotion, which would strike us daily as a miracle if we were not familiar with it, has given the great body of the inhabitants of this country in some degree the enlightening advantages of travel. The mode in which steam-power is applied to the printing press in these days produces effects more startling than the first discovery of printing in the 15th century. It is science that has raised wages; it is science that has increased the desires and the opportunities of men; and it is science that has ennobled labour. There are some who say its effects must be to equalize the condition of men. That is a controversy. I am not anxious to-night on that or any other subject to enter into controversy; but this, I think, may be said—there is no doubt that the application of science to social life has elevated the condition of all classes.

Having said this in all sincerity, I must repudiate an opinion which is too prevalent, and, as I think, utterly unfounded—the opinion that, especially in this House, the legitimate claims of the labouring class to their due share in the Parliamentary system have met with vexatious opposition, and have encountered a sinister spirit of neglect and intentional delay. On the contrary, Sir, forming my opinion from what I have seen out of doors, and, I am sorry to add, in some measure within these walls, I should say that these claims have been treated rather with an Epicurean feeling, which, anxious not to be troubled by the settlement of a disagreeable and, perhaps, as some think, a dangerous question, would agree to anything for immediate ease without any thought of our duty towards those who may follow us. All I can say of such a feeling is that I think it more dangerous than any of those opinions which perhaps to-day may have alarmed the minds of some, and which, if practised, would injure the future of those who preach them. I have no hesitation in saying that as far as I can form an opinion, and I am sure on this head it is an impartial one, I know of no great question—no question, I mean, that largely influences the history of this country, and touches the principles upon which our Constitution rests—which has met with less discussion and with less difficulty than the one now engaging our attention.

It is sometimes said that Parliamentary Reform has been a Parliamentary question for fifteen years. It is very true that the attention of Parliament has been called to schemes for re-constructing this House; but I deny that these schemes were at all adapted to supply the deficiency which we are now considering, or were at all conceived in a spirit likely to bring about any satisfactory result. I look upon the Bill of 1852, introduced by Lord John Russell, as eminently a premature movement, for it did not even aim at supplying the deficiency to which I refer. I do not blame Earl Russell for bringing forward that Bill. I have vindicated him before in this House when attacked upon that head. I look upon the measure of 1852 as strictly a measure of self-defence. Lord John Russell, who understood the question of Parliamentary Reform, found himself night after night attacked, as it were, by Members of this House who proposed isolated measures applying only to some fragmentary portion of the great question of Reform. He knew the danger which might accrue if such isolated measures were adopted. He knew that, whether the result were democratic or oligarchic, consequences might ensue from such a course which would probably startle their proposers as much as anybody else. Therefore, Lord John Russell, after five years' campaigning against his Liberal friends, found it absolutely necessary to make some effort for a comprehensive settlement of the question of Parliamentary Reform. Hon. Gentlemen rose night after night bringing forward Motions about the borough, at another time about the county franchise, then proposals which would have completely revolutionized the whole system by which votes are given and recorded, and Lord John Russell eventually proposed a scheme to deal with these points. But I beg the House to remark that the disturbance of the settlement of 1832 did not originate with Lord John Russell. It originated entirely with the House of Commons. It was not Lord John Russell, or his rivals, or any body of public men, who, when they make proposals to this House, make them at least with a sense of responsibility, that they may be called on to carry them into action. That was not the case. It was the House of Commons, it was those whom we habitually describe as independent Members, who commenced the disturbance of the settlement of 1832.

And here I would ask the House to reflect on these two circumstances. The origin of Parliamentary Reform as a question in the House of Commons must be found in the conduct of individuals—of independent Members of this House. This, therefore, is a House of Commons question; it is not a party question. And it is remarkable that the House of Commons, having been the originators of the disturbance of the settlement of 1832, have defeated every attempt that has been made by organized parties, by responsible bodies of men, and by leaders of political connections, to effect a settlement of a question which was then unsettled. I am bringing no charge of misconduct against any Members of the House or against the House of Commons itself; I am speaking historically on the subject. The House of Commons may have been perfectly justified in what it did. I will not enter into any controversy to-night on the course which it pursued. The Members of the House may have been justified in coming forward and sedulously attempting to disturb the settlement of 1832. They may have been justified in defeating any measure which may have been brought forward by successive Ministers to settle the points in controversy. All that I do not deny; but I think all must admit that the House of Commons, with regard to this question of Parliamentary Reform, has incurred, as it were, certain peculiar responsibilities. They originated the question, and at the same time they have prevented it being settled.

Now, though few will doubt that, under these circumstances, the House of Commons itself, as independent of any particular party organization, has incurred a general responsibility with respect to this question, it can, I think, hardly be denied that with regard to the present subject the relations between this House and the Government are peculiarly difficult and perplexing; because it is to be observed that, although the House of Commons defeated all the five measures that were brought forward by Lord Russell, Lord Aberdeen, Lord Palmerston, and Lord Derby, they did in four of these instances permit the measure to be read a second time; but in the case of the Bill of Lord Derby's Government they thought fit—I am not going for a moment to question the propriety of their conduct—not to permit that measure to be read a second time. Now I say, without the slightest soreness on the subject, that it was the opposition of Lord John Russell in 1859 that made Parliamentary Reform a party question. Until the vote taken on that occasion it was not so. Well, no man is so sensible of the advantages of free discussion as myself. I am always ready to acknowledge its practical value. I must, therefore, repeat, and I am now going to prove, the statement that I made just now. I say that until 1859 Parliamentary Reform was not a Parliamentary question. When Sir Robert Peel, in 1834, was called upon to form a Government, there was then considerable odium raised against him owing to the insinuations of what were then called sincere Reformers — that on grounds of party policy he would disturb the Act of 1832. Sir Robert Peel found it impossible to make way against these unfounded aspersions unless he took steps which, from their grave and solemn character, would duly impress the public mind. It was in this House, when called upon to take the responsible position of First Minister, under circumstances of very great difficulty, that he made the solemn declaration, with the complete assent of all his party, that he would never seek to disturb the settlement of 1832. And that engagement was religiously observed. Although the settlement of 1832, with all its virtues, and I have never denied them, was no doubt conceived and carried with extreme party feeling, and in many of its minor provisions highly advantageous to the party that carried them—I do not blame them for that — I say, notwithstanding all that, the compact entered into by Sir Robert Peel and his party was religiously observed; and it was not until 1851 and 1852, when dark rumours were abroad as to the intentions of Lord John Russell, who, in a very solemn manner, in this House had pledged himself, on the faith of the Whigs, to the principle of finality, that the Conservative party had to consider what course to take if Lord John Russell should recede from that undertaking. I believe I may say that was a subject which was considered by the most eminent and leading men—many now departed or lost to us—men held in the highest honour for their integrity and public spirit, like the late Duke of Richmond, Lord George Bentinck, Mr. Bankes, and others who sat in this House—and many who still live and were in intimate communication with Lord Derby, and they came to the resolution that if Lord John Russell gave up the Act of 1832, nothing would induce them to take up a position of opposition to Parliamentary Reform. And their course has been consistent throughout. There never was a Bill brought forward on the subject of which the second reading was opposed by us.

I think I have traced the question now at least to the relinquishment of finality; and I think hon. Gentlemen will agree with me that there was no appearance of Reform being made a party question until that period. Many hon. Members who sat in the House at that time are familiar with what took place with regard to the subsequent Bills. Now, Sir, there is no man whose opinions on Parliamentary Reform are spoken of with more levity than Lord Palmerston. Some would conclude that Lord Palmerston was unquestionably very Conservative in his principles; that he was entirely opposed to any change in our Parliamentary Constitution; and that it was only for political convenience, and in order to make necessary arrangements for indispensable Colleagues, that he ever consented to the introduction of any measure of Reform. Now, there is not the slightest foundation for any such conclusion. In 1857 Lord Palmerston was at the culminating point of his power. He had then dissolved Parliament on the China vote, he had scattered all his enemies—even those who afterwards became his friends. The Opposition, with which I was connected, suffered, but probably less than most portions of the House, in that penal dissolution. Lord John Russell, a great authority in this question, only obtained the representation of the City of London as an act of courtesy, and the most powerful leaders now on the subject of Parliamentary Reform lost their seats in this House on that occasion. Lord Palmerston had, accordingly, an indisputable majority. He had none in his Cabinet at that moment—though all men whom he respected—in a position to dictate a policy to Lord Palmerston. The House met in the autumn of the same year; it was absolutely unnecessary for Lord Palmerston to introduce the question of Parliamentary Reform, and yet he recommended it in the Speech from the Throne. What happened in 1858? Lord Palmerston, who was supposed to be a Minister supported by the most powerful majority that ever appeared in Parliament, suddenly lost his pride of place, within twelve months of his triumphant dissolution; and when Lord Palmerston left office, he was so sensible that "some settlement"—as the fashionable phrase was then—was required, that he said if his successor, Lord Derby, would give his earnest attention to the subject, and could see his way to bringing forward a moderate and well-considered measure, Lord Derby might be certain it would receive from him a fair and candid consideration. Well, Sir, Lord Derby did not conceive that, if he brought forward such a measure, he could count upon any enthusiastic support from his opponents. All parties had not then tried their hand in vain; and no circumstances had then occurred which could justify a Minister in advising the Crown to appeal to Parliament to consider this question not as a party question. Lord Derby, however, did think that he was not putting too favourable an interpretation upon an undertaking that his efforts should receive a fair and candid consideration, when he concluded that if he did bring forward a measure, prepared with care and labour, it should at least be read a second time and receive a fair consideration from Parliament. But that did not prove to be the case. Notwithstanding this declaration of Lord Palmerston, and notwithstanding the efforts that Lord Palmerston made, the House of Commons set at defiance his authority, and a private Member brought forward an Amendment which gave a totally different colour to the conduct of the House. And who was that individual? Why, it was Lord John Russell. Lord John Russell then sat below the gangway; he was not a Member of the Government that had retired from Office; he was not then a proximate Minister. He occupied, indeed, a commanding position, such as a man of his achievements, high character, and talents always would command in this House; but he was then in the position of a private Member of Parliament. Well, the House of Commons followed Lord John Russell, so that it was again the House of Commons that came forward, and by that vote made it, I say, a party question. I do not object to the conduct of Lord John Russell. I am not contending about the decision which the House arrived at, as far as the decision itself was concerned, on the Bill of 1859; but this I do say, that it was a very great responsibility on the part of the House of Commons to throw out that Bill, and then, when they had forced a change of Ministry, to be unable to carry their opinions into effect.

Sir, I have thus shown that the position of the House of Commons, with regard to this question of Parliamentary Reform, is different from that which exists between the House generally and all other great questions, which are introduced and initiated in this House by a body of men who are in the possession of office, or who are candidates for office, and who therefore ought not to shrink from the responsibility of carrying their opinions into effect. I have shown that the House of Commons, as regards the present Ministry and that particular subject, is in a very perplexing position, and this position increases its responsibility. For, with the greatest respect—without the slightest desire of giving offence to any Member of the House, which would be foreign to my nature—I must at once say that the country upon this question cannot bear a repetition of the manœuvres of 1859. It cannot endure that a measure should be thrown out upon some cunning or captious point of detail, and that then those who have incurred the responsibility should shrink from fulfilling their duty by carrying a measure on this subject. Well, then, we have to consider, under these difficult circumstances, what is the course that we ought to undertake; and, Sir, it does appear to us—considering that the House of Commons itself disturbed the settlement of 1832, considering that the House itself on five different occasions baffled the efforts of five Governments to secure that re-settlement which they have rendered necessary, considering also that with regard to those who at present sit on these Benches the House has prevented any measure which they brought foward from being submitted to criticism in detail by allowing it to go into Committee, and thus frustrated the fulfilment of the expectations of the country when they acceded to power—it does seem to us that in a position of so much difficulty it is wise to reflect whether there is not some course that should be pursued which, without diminishing the due responsibility of Ministers, would, at least, insure the House upon this question from such unfortunate mishaps as have on previous occasions been experienced by Governments that have attempted to deal with this question. It does seem to us that this is, from the causes that I have recapitulated, one of those cases—of great difficulty, no doubt, and surrounded by circumstances of exigency which cannot be denied—which have been contemplated by the wisdom of our Parliamentary practice; and that we are pursuing only a constitutional course when we presume to recommend to the House that before we introduce a Bill we may be permitted, upon its main principles, and upon other points of great and paramount importance, to ask the opinion of the House, and see whether they will sanction the course which we recommend. That, Sir, is a course which we believe to be, under the circumstances, strictly constitutional. It is a course which we believe ought not to be resorted to, unless the circumstances are circumstances of exigency; and when we appeal to the House to permit us to adopt that course, we say, without thrusting our individual feelings upon the House, that in so acting we are impelled by as pure a sense of public duty as ever influenced any body of men.

Sir, I will not notice the first and sovereign objection which may be urged, under ordinary circumstances, to a proposition of proceeding by way of Resolution in this House; because, if the circumstances to which I have now fully adverted, if the relations of the House to this subject of Parliamentary Reform, if the necessity of bringing this question to a settlement, are not sufficient, I have no arguments to urge. But there are other objections to that course which have been offered, and on which for a moment I will dwell. It is said that there are disadvantages in proceeding by way of Resolution, independent of the great constitutional objection which nothing but exigency could override, and the first is that to proceed by Resolutions induces delay. Well, Sir, in answer to that I say, with great respect, that I do not think proceeding by Resolutions does induce delay. I have no doubt that there may be circumstances in which men, or even the House, not unwilling to trifle with a question might lose a great deal of time upon Resolutions, and take steps which would make consequent legislation impossible, at least for that Session. But, Sir, assuming a case such as that which exists, and that the Resolutions are brought forward by a Ministry as the basis of legislation to which they will be prepared to proceed when the Resolutions are passed, I cannot myself believe that there is anything even in the theory of Resolutions which leads to delay. It is very true that you seem to do twice what, under ordinary circumstances, it might be necessary only to do once; but, then, the House knows very well that the discussions on principles which take place upon the second reading of a Bill, and upon all the various Amendments which opposition in the case of public measures gives opportunity for—that all those discussions are anticipated by the discussions on Resolutions, and that you may very well pair the discussions upon Resolutions against the discussions upon all the vital points of a measure. Practically, moreover, I do not find that proceeding by Resolutions upon great and important subjects, where otherwise there would be circumstances of great difficulty, has led to delay. The instances are not numerous, because the House has rarely adopted that method, and of course I am only referring to circumstances of an extraordinary character, not to cases where we are obliged by the orders of the House to have recourse to it; but on looking over the few instances that are recorded in the Journals of the House, it does not appear to me that proceeding by Resolutions has induced delay. Of this, at least, I am certain, that it has, I think, in every instance been followed by successful legislation, and that, generally speaking—indeed, with scarcely an exception—in the very year in which the Resolutions have been brought forward. The case of the India Resolutions is the last instance, and one with which we are all familiar; but I may remind those who were not then Members of the House, that there was a very strong struggle upon that measure. In that case, if my memory is not incorrect, between the passing of the last Resolution and the third reading of the India Bill the interval was only a month. Therefore, I do not think that the House upon reflection will object to proceed by Resolution on the groundless assumption that it will produce delay, if the House, should agree, to the principle I have previously advanced, that there are circumstances of extraordinary exigency which necessitate that course. Then it is said that Resolutions are vague. Well, Sir, I admit that Resolutions must be vague to a certain extent and in a certain sense. If you would produce Resolutions with all the precision of clauses in a Bill, there would not be the slightest necessity to go into Committee on Resolutions. The object of Resolutions is to obtain the opinion of the House upon the main principles on which your measure should be founded; and, upon all other questions in which the main principles are not concerned, but which may be of vast importance, to obtain the opinion of the House, and defer to that opinion if it does not approve them. With regard to the application of the principles to details, of course it would be the duty of the Government to submit with pleasure and readiness to all suggestions made by the House which might lead to a more perfect and complete measure.

Well, Sir, upon the ground of delay, I trust that our course will not be opposed. With regard to the vagueness of Resolutions, I will say this, that if a Ministry are determined, if the Resolutions are carried, to introduce a Bill, there is no body of men more interested in the precision of the Resolutions than the Government itself. It is not our interest to bring forward vague Resolutions. We want to get from the House such a sanction of our views, and such assistance by the expression of their own, as that we can bring in a Bill which will pass with promptitude. And therefore these vague Resolutions are exactly what we should avoid, as they would not assist us in our course. I want to meet this question fairly, because I am sure it will facilitate our future course if we can arrive as soon as possible, and as much as possible, at a mutual understanding. I will take one of the most difficult questions which can occur in the Resolutions. Our first Resolution probably must refer to the extension of the suffrage. Well, if I bring forward a Resolution which merely declares that it is expedient that there should be an extension of the suffrage in counties and boroughs, I should call that a vague Resolution. The House is agreed, and has agreed, not only in this but in preceding Houses, and in an unmistakable manner, that there should be a considerable extension of the suffrage in counties and boroughs; but the House, certainly not this House, has never yet formally stated the mode by which the extension should take place. But if a Resolution is brought forward proposing the mode by which extension should take place, either by the creation of other franchises or the reduction of existing tenures of franchise, why then you have a Resolution which advances the question. If, however, I am asked, as I am told I shall be asked, whether it is not useless to bring forward Resolutions on such a question as the franchise without defining and describing minutely the qualification, then I say that is an unreasonable condition. I say an unreasonable condition, because it is a condition impossible for any Government to comply with. If you propose a Resolution which declares that it is expedient the franchise should be extended by its reduction—that is a principle which, when laid down, cannot be misunderstood. But how are you to settle the amount of the franchise? Take your borough franchise —how can you fix in your Resolution, even if you agree to the principle of its reduction, the amount of your franchise, when that must depend upon principles not less important than the extension itself? I wish to illustrate this point. The amount of the franchise depends upon many considerations, but it depends mainly upon one principle of the greatest importance, and that is a principle on which this House has given an equivocal and ambiguous decision; yet without a right appreciation and a clear conception of which it is impossible to make any proposal to the House which can lead to a practical result. I mean the basis upon which your franchise shall rest —namely, the principle of rating. Until you decide what shall be the basis of your franchise, how is it possible in a Resolution to come forward and recommend a particular amount? I mention this because it may be thrown in our teeth if we do not propose the exact amount of the borough franchise that we are trifling with the subject, but I say that it is utterly impossible if you proceed by Resolution. You must have a Resolution to decide whether the basis of your franchise is to be rating or not. I will not trouble the House with too many details of the character of the Resolutions, which, if the House will give me the opportunity, I intend to propose. They will be, I hope, in the hands of Members to-morrow morning; but, perhaps, the House will permit me to advert to one or two points upon which I think it highly important this House should come to a clear and unequivocal decision. And I must say that I am anxious the House shall decide on what principle they mean to construct the House of Commons. Do they mean to re-construct it on the principle of the English Constitution; or do they mean to re-construct it on the principles of the Constitution of any other country? I think it very important that this question shall be decided.

Now, Sir, Her Majesty's Government intend, if they can, and if this House will allow them, to re-construct this House on the principles of the English Constitution. I will not advert to any remarks which I may have made before on this subject, or, at least, I should like not to advert to them, because it is painful to repeat oneself; but it is better to be wearisome than to be ambiguous on this subject. We think that the English Constitution is not a mere phrase. We believe that we live under a monarchy, modified in its action by the co-ordinate authority of Estates of the Realm, and we look upon the Commons of England, whom we represent, as one of those Estates. Sir, I know it has been said that this is merely an archæological view of the Constitution of England; but I think I can show the House that they will be very unwise if they quit, without due consideration, the ancient traditions of the polity under which they live, and under which this country has so singularly flourished. Undoubtedly, under the great vicissitudes of centuries, the relations between the Estates of the Realm in this country have greatly altered and changed. No doubt, the Commons whom we represent have absorbed the greater part of the authority which those Estates once themselves exercised; but I think I can show the House that this is no reason why we should forget the constitutional scheme under which this country has so long prospered, but rather, if deeply and fairly considered, why we should cling to that scheme as our only surviving guide against the impending perplexities that surround us. No doubt, the Commons of England, by the immense increase of population and property, have assumed a character with reference to the other Estates which never was contemplated in the days of the Plantagenets and the Tudors. But it is a very great error to suppose that it is merely the increase of population and property on the part of the Commons which has brought about the present form of the English Constitution and the present character and functions of the House of Commons. Take one of these Estates. Take the Peerage of England. That is a very powerful body. It is probably the wealthiest body in the world, and it possesses particularly the kind of property which is most popular in England, because it is a tenure connected with the fulfilment of duties—I mean the land. Nor are the power and influence of the Peerage to be measured by their property. Their social influence—I use the word in a large sense —their national influence, is very great. I have often myself felt that the power of the Peerage is greater in every part of England than in their own House. What, then, has placed the Commons of England in the commanding position which they now occupy? It is the development of our financial Constitution. It is the claim that we asserted two centuries ago—partially recognised then, and now completely established, which has practically placed in this House the taxing power. That is the cause of the position and character of the Commons of England. The moment that power was established, every class, every interest in this country, sought representation in this House, and naturally, because in this House alone can they defend their rights and their property. People complain of the influence, the undue influence, of the Peerage, in the House of Commons. Why, Sir, the influence of the Peerage in the House of Commons is not a usurpation of our rights: it is a deference to our authority. And so it is with all interests. Here they come because here power is reposed, and it is here only that they can be guarded in respect to the exercise of that power by the presence of their representatives. The consequence is that every class and every interest has sought, and to a certain degree has obtained, representation in this House. That is the cause of the variety of our character. But is it the variety of our character that has given us our deliberative power? It is our deliberative power that has given us our hold upon the Executive; and it is this hold upon the Executive which is the best, ay, the only security for our freedom.

Well, Sir, Her Majesty's Government can counsel and countenance no course that will change that varied character of the House of Commons; they respect and reverence the causes which have elevated a rude popular Assembly of the days of the Plantagenets into a Senate which commands the admiration of the world. We do not find that there is any security for retaining that character unless we oppose a policy which gives to any class in this country—I care not whether it be high or low, whether it be influenced by a democratical or by an oligarchical feeling —a preponderant power in this House. And therefore, in any measures that we may bring forward, we shall assert that the elective franchise must be regarded as a popular privilege, and not as a democratic right. If, Sir, we wanted to see what are the consequences of allowing one class in a popular Assembly to have a preponderating influence, what is passing in the world at the present time is fruitful of instruction. I never presume to criticize the institutions of other States. Indeed, I hold, and hold most sincerely, as a general principle, that the institutions of every country are pretty well adapted to the population who live under them. But, take the instance of our nearest neighbour. There is France, in the very van of civilization, perhaps—if I were not in the House of Commons and in England I might even venture to say—the first of European nations, inferior to none in vivacity of mind, in acute intellect, in wonderful perseverance, and in that patriotic feeling which always follows. Well, this gifted nation has a popular Assembly, and it is elected by universal suffrage. Does any one pretend that the Legislative Assembly of France is equal in European consideration to the House of Commons? If there be any Englishman who thinks that the Legislative Assembly of France can claim that position, I am sure there is no Frenchman who does so. But it may be asserted that our institutions are not suited to a Latin race, and that the Constitution of France was suddenly and rudely invented under circumstances of disorder and disturbance. Well, then take the case of the United States of America. There you have a House of Representatives, framed by the children of our loins, and certainly under the inspiration of as pure a patriotism as ever existed. That also is elected by universal suffrage. But does anyone contend that the House of Representatives at Washington can equal in authority the House of Commons? And what is the cause of this? Why, no doubt the American nation is inferior to us in no point; it is of the same blood, the same brains, the same intelligence, of equal energy, perhaps of more enterprize; but the House is elected by one class; there is no variety in it. And so the Legislative Assembly of America, like that of France, can neither of them rule the country in which it is established. I would hardly venture to refer to another case, but there is one further example for our guidance. You have now a German Parliament instituted. Now, I am proud of our countrymen, but I do not suppose there is any man in this House at this moment who will pretend that for intellectual power we are superior to the German nation. That gifted people have now a Parliament; that Parliament is elected by universal suffrage, and we find that the Ministers of the King are not to sit in it. Thus we have these extremely popular and representative institutions elected by one preponderating class; and what do we see are the consequences? Why, that the Assembly loses all that which we believe, and justly believe, to be the characteristic of the House of Commons. It loses it from the want of that variety of elements which gives various wisdom, various knowledge, deliberative power, and, by deliberative power, such a moral command over society that it willingly intrusts to it a great portion of the Executive of the country.

Well, Sir, with these views, considering the doctrines that are now preached, the violent, the thoughtless, the pernicious doctrines which are now circulated, we cannot pretend to enter upon the laborious and responsible task which we are otherwise willing to undertake, unless the House of Commons will, by some Resolution, declare an opinion in harmony with the general sentiment I have now expressed. There are other subjects on which I think it is of the utmost importance that the House should come to a decision, and by its coming to a decision upon which subsequent legislation may be greatly facilitated. I need refer but slightly to the principle to which I have adverted as the basis of our legislation on the franchise—namely, the principle of rating. I admit that in the year 1859, having endeavoured to bring forward a scheme which founded our suffrage on that principle, I was reluctantly obliged to give it up, the difficulties were then so great, the anomalies so glaring, and the consequences to which it would have led so absurd. But since that time the course of legislation in this House has greatly lessened those difficulties. A Bill introduced by the right hon. Member for Wolverhampton (Mr. C. P. Villiers) on the subject of union rating, has greatly contributed to this result. But I hope that to-night my hon. Friend the Secretary to the Treasury (Mr. Hunt) will have an opportunity of bringing in a measure which will entirely remove all the remaining difficulties connected with this matter. Under these circumstances, we trust the House will assent to a Resolution affirming that rating shall be the basis of the franchise.

Sir, there are one or two other points to which, if I am not wearying the House, I should like to allude. Among them is one of the most difficult of all questions — namely, the distribution of seats. Now, upon that subject there are two schools of opinion, which are as much at variance as upon the subject of the franchise itself. There is a school that would re-construct the electoral map of England. We hear sometimes that the map of Europe is to be re-constructed. There is also a school in this country which would re-construct the electoral map of England. On the other hand, there are those who approach this question with great hesitation. They find an ancient and complex arrangement, but, at the same time, one which, for a considerable period, has contributed, as they think, to the representation of a country like England, having a variety of interests, with success. It is impossible in this country to think on this subject and not to be struck by the apparently providential manner in which an almost obscure island in the days of the Norman Kings, with but a limited population and slight resources, has developed itself into a magnificent and unparalleled Empire. Through the rude institutions of the Plantagenets and Tudors, however, the means have been found of representing interests so vast, so various, so infinitely complex, as those which are bound up with the England of the present day. Those who are impressed with that conviction will, I am sure, concur with me in the opinion that upon the question of the re-distribution of seats we must proceed with the utmost circumspection. Any attempt to portion, according to certain symmetrical arrangements, the representation of the country would probably end in altering the character of this House, and, by altering its character, deprive it of its authority. I think that before we introduce our Bill we have a right to ask the House to give us their opinion upon, and I hope their sanction to, certain principles upon which we propose to act. One of those principles is that no borough should, so far as the re-distribution of seats is concerned, be wholly disfranchised. We are in favour of this principle for two reasons. We look upon it, in the first place, as wise and necessary that the representation of the country should, as far as lies in our power, be distributed; and we regard it as unwise and unnecessary to disturb any centre of representation, because it is impossible, in an age of rapid growth, when communities so rapidly rise and vanish, when the changes and alterations of social arrangements are so evanescent, to proceed with too much circumspection. Speaking, then, for myself and my Colleagues, we are of opinion that no borough should be wholly disfranchised so far as the re-distribution of seats is concerned—for I am far from saying that if bribery be proved to exist in a borough, as we have reason to fear and believe it may be in the case of some—we ought to show ourselves more deficient in spirit than our predecessors, and I trust, under such circumstances, we should know how to act. Our main—mind, I do not say our sole—consideration, in altering the apportionment of the representation would, in the second place, be to supply representatives to places now unrepresented, but which are, from a variety of causes, entitled to the privilege. These are the two principles by which we would be guided on the question of the re-distribution of seats; and unless we have from the House their sanction with respect to these two points all our arrangements must prove perfectly useless, for hon. Members must feel that we might then have an Amendment on the second reading of the Bill which we might introduce, founded, perhaps, on the case of some obscure borough, but so ingeniously worded that the fate of the measure might depend upon it. I have to apologize to the House for having gone so much into detail—although I have endeavoured to confine myself to those Resolutions which appeared to me to involve large principles; but there is another point on which I think it my duty to touch slightly—a point with which it has been found difficult to deal, which is a very important element in the settlement of this question of Reform, and upon which I venture to say a greater amount of misapprehension exists than almost upon any other—I allude to the subject of boundaries.

Now, I have, on more than one occasion, not completely, but casually, expressed the views which I entertain upon this subject. It is really a vital subject, and one, it appears to me, on which no dissension ought to prevail, for if clearly understood there would be, I imagine, scarcely any room for a difference of opinion in regard to it. Unfortunately, however, it is not clearly understood, and it has had raised in connection with it objections which have had a very considerable effect on the House, although they are objections based upon false data, and supported by false reasoning. If I again remind hon. Members of the salient facts of the case, it is because I am anxious to place a distinct picture before their minds. The amount of the population dwelling in counties is 11,500,000, and that population is represented in the House of Commons by 162 Members. 9,500,000 is the extent of the population living in boroughs, and the number of Members representing it within these walls is 334. Now, one would naturally say, at the first glance, that there is nothing unreasonable in the 11,500,000 asking the House of Commons that, as they have but a very small share of the representation, the enjoyment of their rights should at least not be interfered with by the 9,500,000 in boroughs. Hon. Members must, it seems to me, feel the justice of that appeal. We know that since 1832 the population of boroughs has greatly increased, and that they have passed the borough boundaries to the extent of millions. The population of the counties has also considerably increased; but they are on that account all the more anxious for the due enjoyment of their privileges. The population of towns, however, has, I repeat, passed their boundaries in millions, and if you greatly reduce, as we propose to do, the franchise in counties, a large proportion of the population of boroughs will become county electors. Well, the 11,500,000 with 162 Members look on that as rather hard, for they naturally think that the surplus population of the boroughs ought to be contented with their 334 Members. This is not an idle apprehension or unfounded complaint on their side. If you reduce to-morrow, as you will do if you follow our advice, the county franchise, you will have half the town of Halifax—I give this as a mere illustration—not more distinct from the other half than the City of Westminster is from the City of London—supplying a large body of electors to the county of Yorkshire. Why should not that body of men vote for a candidate with whom all their sympathies, local and municipal, are bound up? And are the 11,500,000, with only 162 Members, to be visited by an invasion that will still further materially diminish their privilege in sending men representing their views to Parliament? In my opinion, the question is one about which there ought to be no controversy; but there is, nevertheless, with respect to it a great controversy, a bitter controversy, which, like all great and bitter controversies, arises from an ignorance of the subject to which the argument relates. It is contended that no revision of the boundaries between boroughs and counties must be attempted, because it would be difficult rigidly and severely to distinguish one class of population from the other. Now, to do this is not only difficult, it is impossible. No one ever contemplated such a division. Those populations must to a certain degree blend, and it is desirable they should blend. But cases of great injustice like that I have mentioned—and there are twenty such cases which I could name—should not, therefore, be allowed to pass without a remedy, and the remedy, I maintain, can be rendered perfectly consistent with that natural blending to which I just now referred. The great objection, however, which is urged against a revision of boundaries—and I put it, I hope, fairly in its naked form, for I have no wish to cast a veil over it—is that it is a plan which, if adopted with other schemes of an analagous though not so important a character, such as giving representatives to some boroughs, would throw the 162 county Members entirely into the hands of the landlords, their tenants, and labourers. ["Hear, hear!"] Well, you accept that proposition? I am sorry for you, for it is a totally erroneous proposition. This is a case of great importance, and I do not think that any part of a future Reform Bill can be really more important, or more to the interest of both parties clearly to understand. In the 11,500,000 of population to which I have referred, there will, no doubt, be a considerable diminution, if our propositions are adopted. We shall propose to enfranchise boroughs which may diminish that amount by hundreds of thousands. There would then still remain in England a vast number of towns which by no wise scheme of Parliamentary representation can be or ought to be enfranchised. I give you the advantages of all their population, and still there remain in England, as appears by the evidence on the table, what is termed, in the technical language of statistics, a scattered or village population which does not live in towns, even of towns of 1,500 population, and which amounts to upwards of 9,000,000, being equal to the amount of the population of all the represented boroughs of England. But you say that this is only composed of landlords, farmers, and labourers, and why care for them? The landlords, farmers, and labourers are registered in the Census, and still form alone the most important class in England from their property and numbers combined. That class comprises 2,000,000 of the population, and if you take away all the landlords, farmers, and labourers, what is your duty to the 7,000,000 of the population that remains in the counties, and what are those 7,000,000 of population? They are the backbone of the country. I say that for independence, industry, for the comparative simplicity of their lives, and, whatever may be their creed, whether Churchman or Dissenter, for their deep and sincere religious convictions, there is no part of the population more deserving of esteem. On this subject of the population of the counties there does exist in this enlightened metropolis a degree of want of information which is perfectly astonishing. I do not like to refer to some opinions which have been lately circulated by one who has always been my political opponent while in this House, but whom I have always respected, and more than respected, who, I think, was a great honour to this House, and whose memorable achievements should never be forgotten. Still I was astonished to learn from that high authority that the cause of all the discontent prevailing in England on the subject of the representation of the people was the enfranchisement of the farmers of this country some thirty or forty years ago. I think that I have rather indicated to-night, at the beginning of my task, the real cause of the dissatisfaction at the present day with respect to the Reform Act of 1832. It has not been caused by the enfranchisement of the farmers of England, but by the disfranchisement of the workmen of England. On the subject of the two kinds of population to which I was adverting, the most extraordinary want of information appears to exist. Look to those 7,000,000 of your population which I just now alluded to. Who are they? Among them are ancient freeholders of England, to whom we are indebted for our public liberties. Without referring to historical recollections, but speaking only in reference to the latest and greatest political measure—the passing of the Reform Act, which, when I first entered the House, was never mentioned except with enthusiasm, but is now only named with contumely;—I say, it was the freeholders of England in the counties of England who carried that measure. There are among those 7,000,000 of the population I have adverted to, 300,000 and more freeholders. If you look to the amount of the county constituency, and if you take away the 100,000 of occupying tenants, as well as all those freeholders who vote for the counties in respect of freeholds in boroughs, you will find that you take away two-fifths of the county electoral body, and you leave more than 300,000 freeholders, who, among the 7,000,000 of population I have mentioned, seem utterly unknown by this House, and not only by this House, but by men occupying the highest position in the State. When I ask justice for those freeholders I am told in return I want to eliminate all the independence and all the intelligence of the counties. I have never recommended any violent destruction of the existing electoral scheme in order that adequate representation might be given to those men, because I felt the disturbance would do them far more harm than good; but if there are to be only 162 county representatives in this country, merely gradually increasing in number when opportunities may occur—if that is to be the principle of your system, then you are bound to let this part of the population enjoy the rights which the Constitution intended, and to provide that the county Members should be elected by the county population and not by the borough population, which also has the power to elect Members to this House. Under these circumstances, the Government have prepared a Resolution which will propose a course calculated, we hope, to do justice on this long-vexed question, as, when calmly considered, it will be acknowledged to be founded on principles of truth and equity. I hope no opposition will be offered to the course we propose, and that we at last shall reconcile this great portion of the people to our new arrangements by making them feel that they are no longer debarred from the enjoyment of the privileges which the Constitution meant to give them. Why, the other day a rampant orator, who goes about the country maligning men and things, attacked the House of Commons under the thin veil of a lecture on the reign of Charles I., and after alluding to two illustrious men who then existed, went out of his way to assail me, saying, "Where now are the 4,000 freeholders of Buckinghamshire?" Why, Sir, they are where you would naturally expect to find them. They are in the county of Buckingham. I can pardon this wild man, who has no experience of life, having probably always lived in the cloisters of some college, making these mistakes; but I cannot pardon grave and eminent statesmen falling into the error of describing the tenant farmers as the preponderating portion of the county constituencies. There is no subject on which so much exaggeration exists as on the subject of occupying tenants in counties. They never at any time exceeded one-fifth of the constituency, and that number is divided between the two great parties in the State. How, therefore, is it possible that they can exercise the influence which is alleged? In my own county, where, according to the lecturer, there are nothing but tenant farmers, there happens to be, in a constituency of 6,000, only 1,200 registered occupying tenants. But you will not do justice to the county constituency, because you have been induced to believe extravagant representations.

I have thus, Sir, endeavoured as far as I could to place before the House the course which Her Majesty's Government propose to take upon this great question, which has been so long discussed, and the discussion upon which they feel it so necessary to bring to a conclusion—I hope, a satisfactory one. I have stated not only the course which Her Majesty's Government propose to the House, and which they earnestly hope the House will adopt, but I have also endeavoured to convey to them so far as I could, without reserve, the spirit in which these Resolutions are framed. I say "without reserve," because I could have signified our policy and waited for discussions upon the matter; but I thought it would rather facilitate our proceedings if I did without reserve impress on the House the general principles on which we wish to act, and the spirit in which we do act. Do not let the House suppose that we are asking them to go into Committee and allow us to propose Resolutions because we are angling for a policy. We are not angling for a policy. We have distinct principles which will guide us, and which we wish the House to sanction. But there are several subjects besides those which I have indicated, if not of equal still of very great importance in the happy settlement of this question, upon which it would be desirable that the opinion of the House should be given; and on these subjects we should defer to the opinion of the House. If we go into this Committee to move Resolutions, in the application of those principles we should consult in every way the sense and accept the suggestions of the House. And although we are not prepared in any way to shrink from the leading principles of the policy that we hope may be sanctioned, we still believe that on a question of this paramount importance, if the House deigns to co-operate with us and come into council with us, many suggestions of great value will be made which may add to the fulness and completion of the consummation. I can only say on the part of my Colleagues that those suggestions will be received not merely with candour, but, if found to deserve the acceptance of the House and appear for the public advantage, they will be accepted with gratitude. We shall enter into the Committee and avail ourselves of all that the learning, the genius, the experience of the House can suggest for the solution of this question; and to all we shall give a cordial and a candid deference. The course we adopt is not one flattering to ourselves [*Ironical cheers*]; but it is more flattering to assist, however humbly, in effecting that which he thinks is for the public good than to bring forward mock measures which he knows the spirit of party will not pass. And let me tell the Member for Birmingham, who gave me that ironical cheer, that there are others besides himself who think that it is desirable that this question should be settled, but who wish it to be settled in the spirit of the English Constitution. Of course, it would be very agreeable to us to bring forward at once a complete measure, backed by a confiding majority, and having the assurance of settling a question which engages the attention of a great nation. None of my Colleagues pretend to be superior to

> "The last infirmity of noble minds."

But, Sir, this is not a time in which we are to consider the complacency of Ministers, or even the pride of parties. I earnestly hope that the House of Commons will rise to this occasion. I earnestly hope that the House of Commons, in unison with that gracious Speech which Her Majesty delivered to her Parliament, authorized by antecedent circumstances, and urged by the necessity of the case, will divest itself of party feeling, and give her Ministers on this, if on no other occasion, the advantage of their co-operation and their cordial support.

Sir, some sharp things have been said about the House of Commons since we parted in the summer—some sharp things, not with reference merely to its present character, but to its past conduct, which I thought had been accepted, sanctioned, and embalmed by history. I do not doubt that this human institution is not free from the imperfections of humanity. It is possible that there may have been periods when the integrity even of the House of Commons might successfully have been impugned. I know well—we all know that there have been times when its conduct has been unjust, violent, even tyrannical. If you search our records, unquestionably you will find conclusions on many subjects that are at variance with those doctrines which are the happier appanage of our more enlightened times. But, Sir, there is no greater error than to judge the morals of one age by the manners of a subsequent one. There is no greater error than to decide upon the passions of perilous times with the philosophic calmness of assured security. There is no greater error than to gauge the intellect of the past by its deficiencies, and not by the accumulated wisdom which it has achieved, and which has become our beneficent inheritance. Those who take a larger and a nobler view of human affairs will, I think, recognise that, alone in the countries of Europe, England now for almost countless generations has by her Parliament exhibited the fair exemplar of free government; and that throughout the awful vicissitudes of her heroic history she has, chiefly by this House of Commons, maintained and cherished that public spirit which is the soul of Commonwealths, without which Empire has no glory, and the wealth of nations is but the means of corruption and decay. Sir, I move that on the 25th of February this House will resolve itself into a Committee of the Whole House to take into consideration the 2 & 3 *Will.* IV. c. 45.

Mr. GLADSTONE said: Without, Sir, in any manner derogating from the ability of the speech which the right hon. Gentleman has just delivered, I venture to observe—and I think many will concur in the observation—it is one which does not of itself necessarily carry censure—that the House is placed in a somewhat peculiar position. We are to approach the discussion of a subject of unparalleled difficulty, and one which has undoubtedly been embittered in other times by proceedings which, whether justified by the spirit of party and the ordinary usages of Parliament or not, yet certainly has been in a high degree obstructive of public progress —we are to approach the discussion of this question now on the invitation of the right hon. Gentleman in a manner, I think, altogether novel. I am not about to discuss at length the propositions of the right hon. Gentleman, which will be best considered when we hold them, in their express terms, in our hands; still less am I about to offer to the House, as I hope, any one remark which may diminish the expectations or the hopes that any one of us may entertain of making the propositions of the right hon. Gentleman and of the Government the basis of a settlement of the question. But there were remarks contained in the speech of the right hon. Gentleman which I do not feel able to pass by altogether in silence. The right hon. Gentleman, in the early part of his speech, laid much stress upon certain terms contained in Her Majesty's Speech—terms, I think, not very commonly found in Speeches from the Throne—instructing this House as to the temper in which it was to deal with this subject; and the signification which the right hon. Gentleman, no doubt with great authority, attaches to those words is this, that the subject of Parliamentary Reform is no longer to be a question whereon the fate of a Ministry is to depend. Now, Sir, there is no more grave and difficult question that can arise for the consideration of the responsible Ministers of the Crown than to determine what are and what are not the occasions upon which the failure and rejection of their propositions constitute a sufficient cause for the resignation of their offices. If that general proposition be sustained, as I think it is both by opinion and by experience, there immediately follows from it this consequence—that the Executive Government ought on every occasion to retain in its own hands an unimpeded and unfettered power of considering that most difficult question with reference to its own dignity and honour, and to the interests of the country according to the circumstances that may arise. Those circumstances, Sir, it is impossible to define and to forecast in anticipation of the events; and I own to entertaining a doubt whether the right hon. Gentleman has so far conduced to the easier or more satisfactory prospect of settling this question by the announcement beforehand of something like an abstract and binding proposition to the effect that it is to be one which is not to involve the fate of the Government. That, however, is a matter more, perhaps, for the consideration of the right hon. Gentleman and his Colleagues than for those who are less connected with them; but the principle announced by the right hon. Gentleman is one of such importance, and I confess that in my own mind it is one open to so much doubt, that I could not allow it to pass without a remark against it. The right hon. Gentleman then proceeded to give us a lengthened historical disquisition upon the transactions that have taken place in previous Sessions, and in previous Parliaments, with regard to measures of Parliamentary Reform. I wish, Sir, to give the right hon. Gentleman the opportunity of correcting me on a future occasion if I should unfortunately misrepresent his meaning in consequence of having been unable sufficiently to comprehend him. But I did not clearly gather from his speech what was the precise inference that he intended us to draw from that recital. It appeared to me that his object was to show that there was a special responsibility of this House, as distinguished from the Government which ordinarily directs its proceedings, with reference to the subject of Parliamentary Reform. If that be all that is intended to be established by that recital I have no difficulty, as far as I am personally concerned, in subscribing to the doctrine of the right hon. Gentleman; for although the opinion, when I expressed it, was much objected to—and objected to, perhaps, in quarters where there may be more sympathy with it to-night—I did entertain, and strongly entertain, the opinion that the House itself—from the action on various occasions of its independent Members—has incurred in the eyes of the country a special responsibility with reference to the question of Reform. But I understood the right hon. Gentleman to go beyond the limits of that proposition, and by his announcement that he leaves us to imply that, together with the increase of the responsibility of the House of Commons there was a diminution of the responsibility of the Government, and that an exceptional state of things had arisen in which it would be expedient for, if not imperative, upon this House to effect a settlement of this difficult question under some guidance or leadership — the right hon. Gentleman does not say in what degree—of Government, such guidance or leadership to be connected with a responsibility different in kind and also in weight from that which usually attaches to the Advisers of the Crown. If that be so, I must confess that I am doubtful whether the announcement of such a view on the part of the Leader of this House will add to the weight or to the authority with which his propositions should be placed before us, and which, attaching as it justly does under all circumstances to the proposals of the Executive in this country, is of itself one of the great propelling forces by which important measures are successfully carried through this House. The right hon. Gentleman has announced, with reference to the subject of Parliamentary Reform, his intention of proceeding by Resolution — an intention with which we were already acquainted from information that had reached us from various quarters. I will not enter into any full discussion of that method of proceeding, although I frankly own my prepossessions to be against it. I think that that method of proceeding is justifiable, and even necessary, in cases of a particular description; in a case, for example, where it is necessary to obtain the concurrence of both Houses, it is obvious that the simultaneous concurrence of both Houses could not be had except by adopting the practice of proceeding by Resolution. I will not, however, ask what are the precise limits to which this method of proceeding should be confined; but the right hon. Gentleman, having dwelt upon the subject fully, has failed to satisfy my mind that this method of doing things twice over instead of once has not, as a general rule, some tendency to cause delay. The right hon. Gentleman, in touching upon the second and more important point, admitted that vagueness was almost inseparable from the nature of Resolutions—that is to say, that if Resolutions are to be passed with greater facility than would be the case were the same propositions embodied in a Bill, the right hon. Gentleman admits that those Resolutions must necessarily be exceedingly vague in their nature. Then, Sir, the right hon. Gentleman has shadowed forth in his speech to-night the principal points which are to be included in the Resolutions that he is about to propose, and I wish to state with the utmost clearness what, as far as my humble opinion is concerned, should be the course of the independent Members of this House. I have already said that, under the circumstances, I do not ask what might be asked on other occasions—how far the Government which makes this proposal is in possession of the general confidence of the House; and I now go further and say that the objections I entertain to this mode of procedure will not stand in my way—and should not, I think, stand in the way of others—if, notwithstanding this mode of procedure, we can use the propositions of the right hon. Gentleman—either by adopting them as they stand, or by altering them—as a means of arriving at a settlement of this question. Those scruples which I felt with regard to the method of proceeding by way of Resolution I shall cast behind me if, upon examining those Resolutions, I find it possible for us to make an onward movement.

The right hon. Gentleman has told us something of his propositions, and in reference to them I must observe that I think we are bound to avoid everything that tends to adjourn the settlement of this question. In whatever form these Resolutions are laid before us a long period of time must elapse before this great and fundamental question can be settled. I am not altogether assured, after having heard the remarks of the right hon. Gentleman with reference to the rating franchise, that the matter will be disposed of with the requisite speed. If I am to interpret in the ordinary manner the terms of the notice which stands upon the notice-books of the House, it is clear that very important changes in the law of rating are contemplated, changes such as it is impossible for this House to adopt in a moment. Is it meant that the question of Parliamentary Reform is to depend upon the previous attainment of what the right hon. Gentleman may think a perfect system of rating? I understand the right hon. Gentleman to say that he cannot fix the amount of the reduction in the franchise in his first Resolution, because that may depend upon the points to be disposed of by subsequent Resolutions; but does not the right hon. Gentleman see that many Members would refuse—would justly refuse—to commit themselves to an abstract principle of reduction unless they knew what form that reduction was to take? Again, if it be true that the amount of this reduction is to depend upon some subsequent Resolution with reference to an alteration to be made in the law of rating, I hope I may dismiss the apprehension which I confess a part of the speech of the right hon. Gentleman raised in my mind, that this method of proceeding by way of Resolution is calculated to defer the definitive settlement of the question of Parliamentary Reform. I beg the right hon. Gentleman, if he thinks it worth his while, to consider that as an illustration of what I mean. The very same motives as would lead me, for one, with the utmost earnestness to co-operate with the right hon. Gentleman, and to build on his foundations, if possible, for a speedy settlement of the question, would likewise lead me, I frankly own, to offer a determined opposition to any proposition, or any method of proceeding, which would appear to me to be likely to cast it into the far future. We cannot afford to go on in this country as we are going. It is time that this discord between classes—this tendency to discord—this incipient discord—this tendency to separate interests, from indications of which I must say the speech of the right hon. Gentleman, in that portion of it in which he referred to the paragraph in the Speech from the Throne, was not altogether free—it is time that all this should cease; and not till this question of Reform has disappeared from among the subjects of controversy can we hope to see the people of England what they once were, and what we ought to be desirous they should ever continue to be—a united people. The right hon. Gentleman has told us the day on which he proposes to proceed with his Resolutions. I think it better to reserve till then any opinion on the important question—perhaps the vital question—whether his Resolutions do constitute a plan to which the House can assent if they agree, and on which they can join issue, if they do not agree, with the right hon. Gentleman. No objection will be taken otherwise than as matter of argument and representation with respect to the mode of proceeding. I have just intimated the direction in which we are disposed to look, and the rule by which our conduct will be guided. Our object being to make progress in this question—and we think the country has a right to expect that—we will gladly assist the right hon. Gentleman, if he concurs with us in this view of the matter, in giving effect to his idea so far as we are able consistently to do so. But I am sure the right hon. Gentleman will not expect us to be a party to a course of proceeding which would amount in effect to an absolute betrayal of public duty—that is to say, to the adoption of his Resolutions if we find them to be measures—not measures, but declarations preliminary to measures—a course tending to produce doubt and uncertainty in the public mind—tending to diminish the confidence of the people in Parliament—tending to adjourn a conclusion for which, on every ground, it is desirable that we should look without delay. The right hon. Gentleman asked the question, and I think it was a natural remark to make—"Upon what principle the House of Commons was to be re-constructed?" He answered that it ought to be upon the principle of the British Constitution. Then, spreading his wings for an extended flight, he travelled both Eastward and Westward, and gave us an account of the Representative Chambers of various foreign countries. Sir, I very much doubt the wisdom of those self-complacent allusions to the institutions of foreign countries. It sometimes happens that our views of them are not altogether accurate, and at best they cannot be expected to carry on them the stamp of impartiality. Were this the time and place, I should be disposed to challenge some particulars in the statement of the right hon. Gentleman; but, even if those statements were strictly accurate, I very much doubt whether much is gained by comparisons of this description. The right hon. Gentleman must, however, see that he is engaged in a combat with a phantom; for has any Government in this country at any time proposed to deal with the question of Parliamentary Reform on any other principles than those of the British Constitution? I assert that we have been ready at all times—and never more so than last year—to contend that it was upon those principles we took our stand. It is true there may be differences of opinion amongst us as to various points of detail; but, however widely we may differ upon questions of general policy, I do not believe that any one Member in this House would be willing to depart from the principles of the British Constitution. I frankly own it appears to me that in the expression of his opinions the right hon. Gentleman himself has somewhat departed from the principles of the British Constitution; but am I to rise in my place and assume that I have the exclusive possession of the key of those principles? Or am I to charge the right hon. Gentleman or any other Member of this House with the abandonment of all regard for them? I ask the right hon. Gentleman to enlarge his toleration so far as to believe that even those who have differed from him on former occasions, and who may ultimately differ from him in the later development of this question—to believe that whether they differ from him or not, they are animated equally with himself by a regard for that glorious Constitution, the rich traditions and noble inheritance which it has left us, and that whilst upholding their rights of freedom they claim for themselves and their opinions that consideration which we gladly and freely accord to others.

Motion *agreed to.*

VALUATION OF PROPERTY BILL.

LEAVE. FIRST READING.

MR. HUNT, in rising to move for leave to bring in a Bill to provide for a common basis of value for the purposes of Government and Local Taxation, and to promote uniformity in the assessment of Rateable Property in England, said, he hoped, notwithstanding the all-absorbing character of the subject that had just been brought beore the House, that they would consider that this was one of considerable importance, and that they would bear with him whilst he explained, but not at great length, what he considered the evils of our present system of valuation, and how he proposed to remedy it. The evils of the present system had long been felt. In 1850 Sir George Lewis gave evidence before a Committee of the House of Lords on the subject. That Committee made certain recommendations, having reference not only to valuations of local rates, but they recommended, as a principle, that assessments should be made on one uniform and equal relative valuation. In the same year a Bill was brought in by Sir George Lewis and the right hon. Baronet the Member for Morpeth (Sir George Grey), to establish the principle of universal valuation for poor rates throughout the country, and it had occurred to the present Government that that principle might be carried still farther, and that the same valuation might be used both for local and Imperial purposes. What the Government looked to was what in reference to the poor rates answered to the gross estimated rental. The income tax, with regard to real property, was levied on the gross value, whilst the local rates were levied on the rateable or net value of the property; but notwithstanding that difference, the gross value was really the basis of value, because it was from that that certain deductions were made and the rateable value ascertained for local purposes. He would now briefly describe the present system of valuation both for the purpose of taxation and for the purpose of rating. And first with regard to taxation, in which he was most immediately concerned, and on account of which he had been intrusted with the conduct of this measure. The primary assessments were made by local assessors, and then the Government officer and assessor of taxes had the power of reviewing those assessments and making surcharges on persons named in the list. The district Commissioners, who were independent persons, had to decide in cases where the taxpayers did not assent to the surcharges made by the surveyor, and there was no appeal from those Commissioners, except as far as they might state points of law for the decision of the Superior Courts of Law at Westminster. With regard to matters of fact, there was no appeal from their decision. As regarded local taxation, the system was as follows:—The Boards of Guardians annually appointed out of their own body a committee to assess, and that committee consisted of one-third of *ex officio* guardians —namely, justices of the peace resident in the union, supposing there were any justices resident—and, if not, their places were supplied by the ordinary members of the Board of Guardians. The lists were made out by the parish officers and submitted to the assessment committee, who then made out the assessment upon these lists, with any alterations which they might deem expedient to make after hearing the objections of the persons assessed, or of other persons upon the same lists or residing in the same union. Supposing any dissatisfaction were felt at the decisions of the assessment committee, there was an appeal, which was final, to the quarter sessions. But that was not the only assessment made with regard to local taxation. One would have thought that a system which was good for the purpose of the poor rate, the highway rate, and church rates, would likewise have been good for the county rate; but it would be found that the magistrates at quarter sessions had the power to appoint a committee for the county rating. They might make a new basis, and in practice it was known that they did so. He understood that at the present moment the committees of magistrates and quarter sessions were making a new basis for county rates, notwithstanding that the assessment for the poor rate had only just been completed in their own county. It was true that the quarter sessions committee did not go into the same particulars as the assessment committees, because they only assessed parishes, whereas the assessment committees assessed individual property; but it often happened that the assessment made for the county rate in a parish was wholly different in amount from the poor rate assessment in the same parish. In the case of county rates also there was an appeal to the quarter sessions. But then this extraordinary state of things arose. A man had to watch the assessment on his property for property tax, for poor rates, and for parish and county rates. He might appeal in one case and his appeal might be sustained, but that would not affect any other assessment to which he was assessed. On the contrary, he would have to go through the same process in regard to all the three assessments. All the labour with regard to one valuation was entirely thrown away with regard to the others. He might have gone more into detail in regard to this matter, but he thought he had stated enough to satisfy the House that the existing system was one not creditable to the country. Then the question arose as to what was to be substituted for the three systems without parting with any of the present jurisdictions of the Government, the Poor Law officers, the Boards of Guardians, or the magistrates. If they were to commence entirely afresh, perhaps it would be easy to devise a simple scheme which might serve for all purposes, but the Government had determined to make use of the existing machinery. Before 1862 there was much more inequality in rating than at present, because the parish made out the valuation lists and fixed upon the scale of deductions, the consequence of which was that there might be different scales of deduction in the same union. That system, however, had to a certain extent been modified by the union assessment committees, and therefore within the union itself there was now a uniform scale of deductions. Still the uniformity did not extend beyond the area of the union. The Bills to which he had just now alluded attempted to provide for uniformity as regards counties, and the Bill which he was about to ask leave to introduce also provided for uniformity as regards counties. He proposed to take as the basis of valuation the present system of union assessment, and that the assessment committee should send representatives to a County Valuation Board, to consist of the representatives of all the assessment committees in the county — for the most part two members from each committee—one of such representatives to be an *ex officio* member, and the other an ordinary member. It was proposed to include in the area of the county all the towns lying within it, but the towns were to be represented on the same principle at the Valuation Board. If they already had separate committees they would send members to the Valuation Board, and if they had no committees they might appoint members to serve on the Board. In the event of there being no magistrates who could serve, it was proposed that the Town Councils should nominate members of the Board. The functions of the Valuation Board would have reference almost exclusively to the scale of deductions, and they would have nothing to do with the assessment of gross value except in certain cases. The Valuation Board would have to lay down the scale of deductions to be observed in all the assessment committees throughout the country. It was likewise proposed that the Valuation Board should perform the duties of the assessment committees at the expense of those committees in those cases where the assessment committees delayed to discharge the duties imposed on them by Act of Parliament. The effect of that enactment would, in all probability, be that the assessment committees would perform their duties within the proper time. With regard to gross value, it was proposed that the overseers should make out the valuation lists, as at present. But here a new element would be introduced into the assessment system, for the surveyor of taxes would have a *locus standi* before the assessment committees, and the power of stating what, in his opinion, was the right sum of the gross value, and consequently of throwing the *onus probandi* of disproving his statement on the taxpayers and ratepayers. Thus for the first time there would be some one present who would have an interest in putting up the assessment to the right point. That, he believed, would have the effect of preventing too low assessments being made. It was also proposed that when the assessments had been made by the committees they should be sent up to the Valuation Board, who would take care that their instructions with regard to the scale of deductions had been fully carried out. An appeal would be allowed to an assessor, who would be a barrister-at-law, and who would be appointed by the Valuation Board, with the consent of the Treasury. The quarter sessions would thereby be discharged of their present appellate function, and a system, something like that now existing in Ireland, would be adopted. On the application of the parties the assessor would be empowered to order a survey and valuation of any property in respect to which a dispute had arisen. A union might appeal against the assessment of another union, and a parish against the assessment of another parish. The assessor being appointed by the Valuation Board subject to the control of the Treasury, the Imperial interests would be properly guaranteed, and, at the same time, he would be appointed by persons chosen by the ratepayers. These were the main features of the measure which he asked for leave to introduce. It was not proposed to make any change in the incidence of taxation, which, as now, would be based on gross and rateable values, and it was only in the mode of ascertaining the value and assessment that alteration was proposed. Although quarter sessions would be relieved of their functions, the present magisterial element would not be dispensed with; for about one-half the members of the proposed Boards would be justices and members of quarter sessions; and with the exception of the quarter sessions and district Commissioners, it was proposed to retain existing jurisdictions. In Ireland valuations were made by a Government officer for all purposes. There was only one column and that was for the net value, which almost corresponded with our rateable value, and there was a Court of Appeal similar to that proposed for England. The Scotch system, less perfect than the Irish one, was vastly superior to that of England. Commissioners of Supply there made out valuation lists, or employed persons to do so; and if they employed a Government officer, the valuation served for Imperial and local purposes. This system was far preferable to the three systems employed here. It was proposed that the metropolis, owing to its special circumstances, should be exempt from this Bill; but if its principles were agreed to, they might in a future Bill be applied to the metropolis. The valuation under the proposed Bill would extend to Imperial and local taxation. It would also affect the composition of jury lists, election of guardians, licensing, and many other matters, which would make the Bill lengthy and complicated, but he hoped that it would be laid on the table in about a week, and read a second time in about three weeks. The right hon. Gentleman concluded by moving for leave to bring in the Bill.

MR. CHILDERS said, the Bill necessarily involved so many details that it must be in their hands before they could express their opinions upon its proposals. He was glad that it was introduced, although he looked with jealousy upon the appointment of a large number of appellate barristers.

Mr. BAXTER said, that the admirable working of the Scotch system during the last thirteen years had filled Scotch Members with amazement at the continuance of the English system. The assessment in Scotland was not perfect, and it was intended to ask for amendments this Session; but the system worked admirably for taxation and registration.

Mr. POULETT SCROPE said, the advantage of an uniform system of valuation was unquestionable; and, therefore, such a system ought to be adopted. Such a measure failed previously in the House of Commons from the conflict of interests in regard to the matter, when public opinion was not so ripe for Reform as now. He regretted that the Bill did not establish a universal system of rating.

Mr. AYRTON said, he was glad the metropolis was to be excluded from the Bill, not because he objected to the principle, but because its circumstances were different from those of the rest of the country, and the Bill would not have worked in London in the manner proposed for the counties. He hoped in any Bill for the metropolis the authorities would have full power to make investigations as to the real value of each individual property. He thought there was some obscurity as to the manner of descending from a whole parish to separate holdings.

Mr. HUNT said, he thought he had explained that the assessment committees would go into the case of every holding. There need be no apprehension as to the number of barristers to be employed; it was not proposed to employ standing assessors, at fixed salaries, but to appoint them from time to time at such remuneration as might be determined upon; and if the scheme were successful, there would hardly ever be an appeal.

Motion *agreed to.*

Bill to provide for a Common basis of value for the purposes of Government and Local Taxation, and to promote uniformity in the assessment of Rateable Property in England, *ordered* to be brought in by Mr. Hunt, Mr. Secretary Walpole, and Mr. Gathorne Hardy.

Bill *presented,* and read the first time. [Bill 12.]

PRINTING.—SELECT COMMITTEE.

COST OF PAPERS.

On Motion for the appointment of the Sessional Printing Committee,

Mr. CHILDERS said, he took the opportunity to offer the suggestion, which it would hardly be proper to make to the Committee unless it had been previously made to the House, that—as in some foreign Legislatures—the cost of printing each Return should be printed on the face of it, not so much to deter hon. Members from calling for Returns as to show them at what cost they were produced, and to lead them to inquire whether the information desired was not otherwise accessible. Hon. Members were hardly aware of the great cost of printing, and that a large amount of that cost was incurred unnecessarily.

Mr. HUNT said, that the question of the cost of printing Returns had already occupied the consideration of the Government. No doubt it was quite possible to ascertain the cost of printing these Returns. The difficulty was to ascertain the cost of compiling them. If the House would require that whenever a Member was anxious to have a Return, or copies of Correspondence, he should give notice of the object he had in view and the points he wished to bring out, means might possibly be found to give him the information he wanted within shorter compass and in a more convenient form than at present. It frequently happened that Members moved for most elaborate statistical Returns, and it was afterwards found that the greater part of the information already existed in the Library, in Returns already laid before the House. If the suggestion now made were adopted, his notion was that they might dispense with three-fourths of the papers which now overburdened their shelves, and which Members hardly knew how to get rid of at the end of a Session. The suggestion of his hon. Friend should not be lost sight of.

Select Committee *appointed* and *nominated,* "to assist Mr. Speaker in all matters which relate to the Printing executed by Order of this House, and for the purpose of selecting and arranging for Printing, Returns and Papers presented in pursuance of Motions made by Members of this House:"—Mr. Bonham-Carter, Sir John Pakington, Mr. Secretary Walpole, Mr. Henley, Mr. Cardwell, Mr. Gaskell, Sir Stafford Northcote, The O'Conor Don, Mr. Hastings Russell, Mr. Childers, and Mr. Hunt:—Three to be the quorum.

PUBLIC PETITIONS.

Select Committee *appointed* and *nominated:*—Mr. CHARLES FORSTER, Mr. BONHAM-CARTER, Major GAVIN, Sir COLMAN O'LOGHLEN, Mr. HASTINGS RUSSELL, Mr. Alderman SALOMONS, Mr. OWEN STANLEY, Mr. KINNAIRD, Mr. REGINALD YORKE, Mr. ROBERT TORRENS, Mr. M'LAGAN, Mr. SANDFORD, Sir CHARLES RUSSELL, Mr. DE GREY, and Mr. HENRY EDWARD SURTEES:—Three to be the quorum.

House adjourned at a quarter after Eight o'clock.

HOUSE OF LORDS,

Tuesday, February 12, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—British North America * (9); Sale of Land by Auction * (10).

Second Reading—Traffic Regulation (Metropolis) (5) and *referred* to a Select Committee.

THE LORD CHIEF BARON.*

PETITION OF RIGBY WASON, ESQUIRE.

EARL RUSSELL, in *presenting* a Petition complaining of the Conduct in 1835 of the Lord Chief Baron, then Mr. Kelly, and praying for Inquiry; of Rigby Wason, of Corwar, in the County of Ayr, Esquire, said: My Lords, I have a Petition to present upon a matter of considerable importance. It is from Mr. Rigby Wason against Sir FitzRoy Kelly, and he prays your Lordships to appoint a Committee to investigate the charges made in this Petition; and if the Committee should find these charges to be proved, then he prays that your Lordships will concur with the other House of Parliament in praying the Crown to remove the Lord Chief Baron from his high post. The allegation of the Petition is that in the year 1835 Mr. Kelly, being then in practice at the Bar, pledged his honour as a gentleman to the truth of a statement for the purpose of deceiving a Committee of the House of Commons. The Petition alleges that the Committee was thereby deceived, and, being an Election Committee, reported that Mr. Kelly, who had been a candidate for the representation of the borough of Ipswich, had not been guilty of bribery, and had not committed any illegal practices. Mr. Rigby Wason, however, alleges that on further inquiry the Committee came to a different opinion, and were convinced that the statement made by Mr. Kelly was unfounded, and thereupon unseated Mr. Kelly on the ground that he had committed bribery by his friends and agents. The Petitioner goes on to state that in 1845 Mr. Kelly was appointed Solicitor General by the Government of Sir Robert Peel; that Sir Robert Peel was in some measure deceived as to the facts relating to this inquiry before the Election Committee; but that he (Mr. Rigby Wason), having

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[* The report of the debate on this Petition has been necessarily restricted to those parts of it which relate immediately to the allegations of the Petition.

The law of Parliament considers any publication of its proceedings to be breach of privilege, and therefore gives no protection to any report, however faithful; Lord Campbell's Act does not extend its very limited protection to cases arising from such reports; and success against proceedings in an action at law is only in degree less disastrous than an adverse result. Everything, therefore, to which exception might be taken has been excluded from the report.

In the Session of 1857 Lord Campbell, adverting to the recent case of "Davidson *v.* Duncan," said—

> "When I had the honour to propose in this House a Bill which afterwards became law (6 & 7 *Vict.* c. 96), and which effected a most material improvement in the Law of Libel, I submitted a clause very limited in its nature—for I was afraid to go very far—providing that any *bonâ fide* account of the proceedings of either House of Parliament should be privileged, and not subject to an action. I was unable to carry it; there was a majority against me, because it was said, not only that the law gave no such privilege, but that it ought not to be given."

In the same year Lord Campbell obtained the appointment of a Select Committee on the "Privilege of Reports," before which Mr. Dobie, the solicitor of *The Times*, Mr. Baines of *The Leeds Mercury*, Mr. Hargrove of *The York Herald*, and Mr. Hansard, gave evidence. The Committee reported in favour of extending protection to faithful reports of proceedings in Parliament, "the majority being influenced by the evidence of Mr. Hansard, and of the solicitor to *The Times* newspaper." In the following Session, Lord Campbell introduced a Bill to give effect to the Report of the Committee. The Bill contained the following clause:—

> "No person shall be liable to action, informa-

no personal enmity to Mr. Kelly, did not think it right to go into the case against him. Mr. Kelly was afterwards appointed to the office of Attorney General; and again to the same office under Lord Derby's Government in 1852; and finally attained, under the present Government, the office which he now fills. The Petition concludes with the prayer which I have already detailed. My Lords, I have felt it my duty to present this Petition, relating, as it does, to a public matter of the highest importance. But there are some reasons in the Petition itself which certainly make me feel it not my duty—whatever course other noble Lords may think it right to adopt—to ask your Lordships to assent in this case to the appointment of the Committee which is asked for. In the first place, I cannot agree with the allegation of Mr. Rigby Wason that when Sir FitzRoy Kelly was appointed Solicitor General by Sir Robert Peel it was not a matter of great public importance, or that if Sir Robert Peel had been deceived it was not a question in which Mr. Wason ought to feel any interest. Now, in the first place, a gentleman of the Bar who is appointed Solicitor General is in the direct road to promotion to the office of a Judge, and it would be a great injustice to the public to appoint any man to be Solicitor General who had notoriously been guilty of pledging his honour as a gentleman to the truth of that which he knew to be false; and, therefore, if there had been ground for charging such an offence against Sir FitzRoy Kelly, it was Mr. Rigby Wason's duty to have brought the matter before Sir Robert Peel. Nobody can believe that Sir Robert Peel would have thought lightly of such a charge, or would have appointed Sir FitzRoy Kelly Solicitor General without any contradiction of the charge so made against him. It appears to me, first, that Sir Robert Peel having appointed Sir FitzRoy Kelly to be Solicitor General was satisfied of his integrity and his fitness for the office, and that he should be advanced in the usual manner. In the next place, it appears to me that Mr. Rigby Wason could hardly have refrained from pressing his charges from any feeling of personal tenderness for Sir FitzRoy Kelly, but rather because he felt that his proofs were insufficient. But I have had further information upon the subject since I came to that decision. Mr. Rigby Wason sent me copies of letters which he had written to the noble Earl opposite (the Earl of Derby), and to Mr. Walpole, the Home Secretary, bringing these charges, and I have also received the answer sent from Sir FitzRoy Kelly to Mr. Walpole, stating that he would send an answer more in detail on a future day; but, meanwhile, totally denying the truth of these allegations. I have since seen a statement under the hand of Sir FitzRoy Kelly himself, in which he not only denies the truth of these allega-

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tion, or indictment for libel, in respect or on account of any faithful report of proceedings at any sitting of either House of Parliament, at which strangers have been permitted to be present."

In his speech in moving the Second Reading, after a full exposition of the law on the publication of reports of proceedings in Parliament, Lord Campbell said—

> "Mr. Hansard, a name well known to their Lordships, after stating that he had not had actions brought, but had been in constant dread of them, gave this evidence:
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> "'Your Lordships are very well aware that my publication is the only publication which professes to record the proceedings of Parliament *in extenso*, and with very considerate fidelity, but that I am not in any way recognized—that I have no protection whatever more than any other person who should publish *in extenso* or otherwise any reports of debates in your Lordships' House or of debates in the other House. Now, the consequence of the present state of the Law of Libel is this: that if matter is uttered in debate in either House which would be libellous and would be unprotected if published out of the House, I am obliged to consider whether it would be safe for me to print that matter; and if I am clearly of opinion that it would not be safe for me to do so, inasmuch as the publication is not of such a nature that I could stand the expenses of a prosecution, the result is that I strike the matter out without any attempt at modification or otherwise.
>
> "'That apprehension induces you to suppress that which ought to appear if the report were fully accurate? It is, advisedly and systematically so.'"

Lord Wensleydale opposed the Bill, and moved its rejection; and after an instructive debate, in which the present Lord Chancellor (who at that time also held the Great Seal) spoke strongly against the measure, the Amendment was carried by a majority of 35 to 7, and the Bill was thrown out.

Under such a state of the law, and such being the declared opinion of Parliament on the subject, and considering that the vindication of the Lord Chief Baron's character was the essential part of the discussion, Mr. Hansard holds it within his discretion to restrict his report to that point.]

tions, but enters into explanations for the purpose of showing how totally unfounded they are. In the first place, he states—what Mr. Rigby Wason does not state—that the particular charge in which he is accused of having stated what was false was founded on a statement which Mr. Rigby Wason alleges Sir FitzRoy Kelly to have made, that he was not acquainted personally with a Mr. Pilgrim, and knew nothing whatever of him. Sir FitzRoy Kelly says that he never made such a statement, for it was notorious that he knew Pilgrim, who was clerk in the office of a solicitor at Ipswich. He further says that by accident Mr. Gurney, the shorthand writer, had kept his notes of that speech, and that the notes contained no such statements as those embodied in the allegations. The truth of that charge being thus denied, Sir FitzRoy Kelly proceeds to say that, so far from Sir Robert Peel having any difficulty or doubt about appointing him, he was afterwards appointed under another Government to the same office. The Election Committee which, as I have already stated, reported that Sir FitzRoy Kelly had been guilty of bribery, could not have found that he was personally cognizant of bribery, for they reported that it was committed through his friends and agents. It therefore appears to me that the allegations fall to the ground. It seems to me impossible that since 1835, now nearly thirty-two years ago, Sir FitzRoy Kelly could have been a candidate for Ipswich, afterwards a candidate and Member for Cambridge, and finally Member for Suffolk—having been elected, I believe, six times for that county—without these circumstances being brought to light. It seems to me quite impossible—the speech having been taken in shorthand—that some of his constituents or opponents would not have brought the matter forward during the excitement that usually takes place during a General Election. For these reasons, though I have thought it right to present the Petition, as I have already stated, I do not support its prayer or intend to found any Motion upon it.

Lord ST. LEONARDS having requested that the prayer of the Petition might be read by the Clerk at the table, the Clerk read as follows:—

"Your Petitioner therefore prays your right honourable House to appoint a Committee to inquire into the distinct Charge which has been made; and that if such Committee find that Sir Fitzroy Kelly has been guilty of that with which he has been charged, then that your right honourable House will join the other House of Parliament in moving an Address to the Queen, praying that Sir Fitzroy Kelly may be relieved from his judicial position."

The LORD CHANCELLOR: The noble Earl (Earl Russell) was good enough to give me a copy of the Petition which he has presented for the purpose of sending it to my right hon. and learned Friend the Lord Chief Baron; and I have received from him information which I trust will enable me to answer the Petition fully and satisfactorily. My Lords, I think the noble Earl might have been excused if he had declined to present a Petition of this character; and certainly the course he has taken is one of an unusual description, for he has adopted the unusual course of reading through every part of it, and has, as he proceeded, given a refutation of every charge contained in it; I cannot help thinking, then, that it would have better become the noble Earl if he had, under the circumstances, declined to take charge of the Petition. I know an impression prevails that if a petition is couched in respectful terms to the House, no Member ought to refuse to present it; but ever since I have had the honour of a seat in your Lordships' House I have ventured to act upon a different principle, and I have exercised a discretion with reference to petitions which have been intrusted to me. I have no doubt that the noble Earl was acting from a different impression as to the duty of a Member of this House; and I am quite sure I do him no less than justice when I say that he was not very well pleased with the task which his sense of duty compelled him to undertake. Now, my Lords, assuming every word of this Petition to be true, we must not forget that the facts upon which these most grave charges against the Lord Chief Baron are founded took place no less than thirty-two years ago, and that during that long period my right hon. and learned Friend has twice held the office of Solicitor General, and once that of Attorney General—and the noble Earl was perfectly right in saying that these offices are generally looked upon as giving a sort of inchoate right to the highest seat upon the judicial bench—my right hon. and learned Friend has also stood election tests; he has represented the county of Suffolk, I think, in three different Parliaments, and your Lordships will very well believe that if there should be any moral stain upon the character of a candidate for Parliamentary honours it is likely to be drawn out in the heat of a contested election. Your Lordships may naturally wonder why Mr. Rigby Wason has kept silence so long, and why he has chosen to speak at last. This he explains, or endeavours to explain, in his Petition. He says that at the time my right hon. and learned Friend was appointed Solicitor General he was applied to by Sir Robert Peel to give information as to

> "the facts respecting the conduct of Mr. Kelly, but he declined to do so on the ground that he had no personal feeling in the matter, and that Mr. Kelly could not inflict greater injury upon the public as Solicitor General than he could as a Barrister in full practice."

The noble Earl forestalled me in the answer to this statement when he remarked that there was a very material difference between a barrister in ordinary practice and a person of that description being selected by favour of the Crown and placed at the head of the profession, having thus as it were a passport to the judicial bench. The Petitioner says the reason he has now ceased to be silent upon the subject is—

> "That your Petitioner submits to your right honourable House that the appointment of a Judge should be governed by very different principles from those which might excuse the appointment of Solicitor or Attorney General; and that the precedent held out to the Bar, that wilful and deliberate Falsehood should be no bar to attaining the position of a Judge, must be fraught with the most disastrous consequences not only to the character of the Bar but to Society."

I regret, my Lords, that I am obliged to enter into matters of this description; but it is absolutely necessary in order to explain some of the statements of the Petition. In 1837, then, Mr. Kelly was a candidate for the representation of the borough of Ipswich, and one of the results of that candidature was that Mr. Rigby Wason publicly charged him with deliberate falsehood before a Committee of the House of Commons. The laws of honour, as they are called, which prevailed at that time, prevented a man from sitting tamely under an imputation of this description, and compelled him to attempt to vindicate his honour by washing out the affront by the blood of his libeller. Few men were then able to brave the public scorn which attended any attempt to disregard this evil custom, and your Lordships will look probably with some forbearance on the conduct of my right hon. Friend in having demanded what is called "satisfaction" from Mr. Rigby Wason. Mr. Rigby Wason refused the meeting proposed by Mr. Kelly; and on a consequent proceeding of the latter, he applied for a criminal information against my right hon. Friend for endeavouring to provoke him to fight a duel. This information failed, on grounds which I shall presently explain. This being the ground of the feeling of the Petitioner towards Mr. Kelly, I have heard it said by some, "Why not treat such charges as this with profound contempt?" But, unfortunately, a person charged in this House in this way cannot afford to do so, because the public will believe that such charges remained unanswered only because they were unanswerable; therefore, I must ask your Lordships to allow me to go through the charges contained in this Petition as briefly as I can. The first charge is—

> "That Sir Fitzroy Kelly, then Mr. Kelly, having been eleven years at the Bar, and being a Queen's Counsel, did, upon the 11th of April, 1835, pledge his Honor as a Gentleman to the truth of that which he knew to be false, for the purpose of deceiving a Committee of the House of Commons."

This charge is couched in the most vague and general terms, and therefore only admits of a general denial; but, fortunately, an interpretation has been given to it in the letters to which the noble Earl alluded as having been sent to my noble Friend at the head of the Government, and to my right hon. Friend the Secretary of State for the Home Department. In the letter to my noble Friend Mr. Wason says—

> "Sir Fitzroy Kelly was returned to Parliament in 1834 with Mr. Dundas. A petition was presented by electors of Ipswich, but supported by my colleague and myself, and our senior counsel opened several distinct charges of bribery; among others, one of the most important as affecting agency was committed by Mr. Pilgrim. In reply, Mr. Kelly assured the Committee, upon his honour as a gentleman, that he had never heard of any person of the name of Pilgrim, and actually charged us with having invented the story, which, he said, was almost proved by the very name we had selected."

Mr. Wason then goes on to say in his Petition—

> "That such judicial tribunal was deceived by such assertions of Mr. Kelly's, and he received the Fruits of his falsehood by the Committee deciding 'That no illegal act had been established against Mr. Kelly and his Colleague.' That the Committee then adjourned until the middle of May, when it met, and proceeded with the Scrutiny, which was interrupted by the Petitioners producing distinct evidence proving beyond all doubt that the assertions made by Mr. Kelly were false. That the Committee, therefore, not only rescinded the above Resolution, but resolved that Mr. Kelly and his Colleague were, by their Friends and Agents, guilty of Bribery and Corruption, and

that the opposition to the Petition was frivolous and vexatious."

I will satisfy your Lordships that this statement was utterly incorrect. In 1834 Mr. Kelly was returned with Mr. Dundas, for Ipswich, and a petition, on the ground of bribery, was presented against their return. One of the charges was that one of the voters had been promised £20 by a man named Pilgrim, and that the money had subsequently been paid by that person. When the case arrived at the point where it was necessary to sum up on behalf of the sitting Members, the counsel were all absent, and my right hon. Friend was obliged to take the duty upon himself. It is untrue that in doing so he denied all knowledge of Mr. Pilgrim. On the contrary, he referred to him as a clerk in the employ of Messrs. Sewell and Blake, solicitors of Ipswich, with whom he had frequently been in communication, and from whom he had received many briefs. What he contended was, that there was no evidence of agency, and that, consequently, there was no evidence against the sitting Members. The Committee having come to that conclusion then adjourned for a considerable time for a scrutiny. Soon after Pilgrim went over to the enemy's camp and appeared, and not only proved the act of bribery to which I have referred, but also proved his own agency in the matter. Of course, under these circumstances, the Committee had no other course open but to rescind the Resolution at which they had arrived. Now, it may be asked, how do I prove that what my right hon. Friend said was not false, as is asserted by Mr. Wason? Mr. Wason asserts that my right hon. Friend denied all knowledge of Mr. Pilgrim. It is very hard to prove a negative; but it happens, fortunately, that there were notes taken of my right hon. Friend's speech by a shorthand writer, and from the beginning to the end of that speech, which has been carefully searched through, not only by my right hon. Friend, but by another gentleman, a barrister of reputation, there will be found no passage to sustain this charge. My right hon. Friend in a letter to Mr. Walpole, and referring to this speech, says:

"I have carefully looked through it from the beginning to end, and there is not one word to be found in it having the semblance of a declaration on honour, or an assertion, or a suggestion that Mr. Pilgrim was unknown to me, or that no such person existed."

Mr. Phillpotts, the barrister to whom I have alluded, writes as follows:—

"My dear Lord Chief Baron.—Before attending the consultation of the late Solicitor General's chambers, I carefully read your speech of the 11th and 13th of April, 1835, referred to by Mr. Wason in his proposed Petition to the House of Commons, and can confidently say that there is not in that speech any such declaration as Mr. Wason alleges; nor any assertion or suggestion that you did not know Mr. Pilgrim; nor a sentence that can be distorted into meaning anything of the kind. Indeed, certain passages in the speech appear wholly inconsistent with any such declaration.—Believe me, yours sincerely, W. F. PHILLPOTTS.'

There is another circumstance which I will mention to your Lordships as bearing out my statement. According to this statement made by Mr. Wason, Sir FitzRoy Kelly had been detected in the most discreditable falsehood it is possible for a man to utter, and this offence had been committed in the face of the Committee and in the presence of the opposing counsel. When the Committee re-assembled my right hon. Friend appeared as before, and summed up the case for the sitting Members as he had previously done. There was no disgust or indignation exhibited on that occasion by any Member of the Committee, nor did the opposing counsel suggest in any way that anything had occurred to render him unworthy of credit or in the slightest degree to disparage his testimony. Now, my Lords, let me pass to the second charge. That second charge is conveyed in the following words:—

"That your Petitioner humbly submits to your right honourable House that the conduct of which Mr. Kelly was guilty was precisely the same, morally speaking, as wilful and deliberate perjury to benefit himself, as stated by the late Lord Chief Justice Denman, who rebuked Mr. Kelly's Counsel by remarking, in an indignant manner, 'Do not go on this way, Mr. Attorney; this Court knows no distinction between what a man swears and what he says upon his honour as a Gentleman."

I am, fortunately, very easily able to explain this matter. At the election of 1837 to which I have already alluded, Mr. Wason stated that my right hon. Friend, before a Committee of the House of Commons, had called God to witness that he had nothing to do with the absconding of Mr. Pilgrim to avoid the Speaker's warrant. The observation of Lord Denman referred to the criminal information which Mr. Wason had filed against my right hon. Friend. In the affidavit Mr. Wason did not state, as he had stated at the hustings, that my right hon. Friend had called God to witness; but merely that he had asserted on his honour that he was no party to the absconding of Pilgrim. The affidavit of my right hon. Friend denies that he employed either of the expressions, though he contended that if he had said either it would have been perfectly true. The Attorney General who was counsel for my right hon. Friend on that occasion, referred to the discrepancy between the assertion of Mr. Wason in the affidavit and on the hustings drawing a distinction between a mere assertion and a statement upon oath. Lord Denman, with an indignation which burst forth whenever he had any idea there was an intention of confounding moral distinctions, said—

> "That whatever a gentleman professes to declare, appealing to his own knowledge on the subject, must be taken to have been as solemnly made as if any obligation or any form of words had been appended to it."

But in delivering judgment, Lord Denman expressed his opinion that there was no proof that my right hon. Friend had made use of the expression attributed to him by Mr. Wason—he said that Mr. Wason would not attempt to prove it, and would not pledge his oath to that belief. Under these circumstances, the criminal information fell to the ground. And now, my Lords, I come to the third charge, which is made in the following terms:—

> "That your Petitioner has been informed and believes that the late Sir Robert Peel, ten years afterwards, positively refused to appoint Mr. Kelly as his Solicitor General, upon account of his conduct before the Ipswich Election Committee; and that the Right Hon. Gentleman's legitimate scruples were overcome by a fraud."

Now, this charge amounts to this—that on Sir Robert Peel hesitating to appoint my right hon. Friend as his Solicitor General his scruples were removed by his having palmed off upon him the evidence given before the Committee, which was published in the blue book, and which did not, of course, contain my right hon. Friend's speech, in which this remark complained of was said to have occurred. Now, it so happens that I am personally able to contradict this charge. I was Solicitor General on the 28th of June, 1845, when the death of my lamented and very dear friend Sir William Follett, the Attorney General, occurred. The funeral took place on the 4th of July, and immediately after the funeral I attended Sir Robert Peel by appointment at Whitehall. He informed me that I was to be made Attorney General. I said, "Who is to be my Solicitor?" He said "Kelly;" and my right hon. Friend has the notification of his appointment to the Solicitor Generalship on that very day now in his possession. Some little correspondence, of which I was not aware until it was communicated to me by my right hon. Friend, had passed between my right hon. Friend and Sir Robert Peel in the interval elapsing between the death of Sir William Follett and my right hon. Friend's appointment. About that time a question of privilege was under discussion, and my right hon. Friend was not so strong an assertor of the privileges of the House of Commons as Sir Robert Peel, and this occasioned a correspondence; and this was the occasion of the delay—if there was any delay—and not any unfavourable rumours against the character of my right hon. Friend. I will not apologize for trespassing thus much upon your Lordships' attention, because the question is one of the utmost importance. If my right hon. Friend had been guilty of the conduct attributed to him in this Petition he would not attempt to defend himself by saying that there ought to be a limitation to charges of this description; and I should certainly agree in the opinion that a person who is contaminated by such scandalous conduct as has been attributed to my right hon. Friend is utterly unworthy of being raised to the judicial bench. The noble and learned Lord concluded by asserting that he had fully confuted the charges of the Petition against the Lord Chief Baron.

Lord ST. LEONARDS: My Lords, I am unwilling to occupy your Lordships' time further; but I feel myself bound to make an appeal to the noble Earl to withdraw the Petition. The noble Earl must be aware what is the constitutional mode of proceeding against a Judge who is considered unfit to occupy his seat on the judicial bench. In the first place, it is necessary that there should be a direct inquiry into the charges at the Bar of your Lordships' House and at the Bar of the other House; that Committees should be appointed by each to further inquire into the matter; and that there should be an agreement between both Houses to present an Address to the Crown praying that the Judge should be removed from the judgment seat. It is impossible that there can be a question of deeper interest to the entire country than such an inquiry. One great element in the happiness and the glory of this country is the upright character of the Judges who administer justice. Does the noble Earl believe for a moment that if the Petition is permitted to lie upon the table of the House, answered as it can only be at present by the denial of its truth, it is possible for the Lord Chief Baron of England to sit for another hour upon the judgment seat of the Exchequer? Can he remain there until the proper steps have been taken to investigate the truth or falsehood of the charges which have been brought against him? How can he sit to administer justice with charges of this sort hanging over him—charges which, if true, would render him utterly unfit to sit in the society of gentlemen? What would become of justice when so administered? It is very difficult in ordinary cases to make a defeated suitor believe that the judgment against him is just, even where the character, honour, and integrity of the Judge is untainted; but what would be the effect upon such a man's mind when the character of the Judge pronouncing the judgment has been brought before your Lordships' House, on allegations such as those contained in the Petition presented by the noble Earl? The noble Earl has more than once been Prime Minister in this country, and no person is better versed than himself in the steps that he is bound to take should he insist upon the Petition laying upon the table of the House. I utterly deny that it is possible for him to lay that document upon the table, and then to withdraw from further interference in the matter, and leave the whole responsibility upon your Lordships. I trust that if the noble Earl is impressed, as he says he is—and therefore I am bound to believe that to be the case—with the truth of the Lord Chief Baron's denial of the charges brought against him, he will handsomely withdraw the Petition, and will not suffer it to remain on the table of the House. It cannot remain there without further steps being taken; and if it be not withdrawn it is utterly impossible that the Lord Chief Baron, with such terrible imputations upon his character, can continue to discharge his duties as the chief of the Court of Exchequer. Upon the charge itself I shall not dwell five minutes. In the first place, what does it amount to? It appears that there was a contested election, and unhappily the principal counsel of the then Mr. Kelly, being unable to attend on his behalf before the Committee of the House, the right hon. Gentleman was induced at the last moment to address the Committee on his own behalf—a most unwise step undoubtedly—and in that double capacity of both Member whose seat was being contested, and of counsel, he is said to have made a statement which was false to his knowledge. It is admitted that if the right hon. Gentleman made the statement, he must have made it knowing it to be false, because he had been for years perfectly acquainted with the person in question. Is there any evidence in support of the charge that he denied on that occasion all knowledge of this person? Not the slightest evidence exists which can in any way substantiate the statement contained in the Petition. The note taken by our own shorthand writer in Committees does not contain a single syllable in support of the charge. Who, then, is the only other witness? Why, the Petitioner himself—a person in hostility to the right hon. Gentleman upon the particular question before the Committee. But he makes other statements in his Petition. He states that when Sir Robert Peel wished to make the right hon. Gentleman Solicitor General, he hesitated to do so on account of the right hon. Gentleman's bad character in reference to this very question, but that he was induced to give him the appointment in consequence of the entreaties of Lord Lowther, now the Earl of Lonsdale. The Earl of Lonsdale has been spoken to upon the subject, and he utterly denies that any such communication passed between himself and Sir Robert Peel on this subject, or that he had any part whatever in the advancement of the right hon. Gentleman. Can your Lordships believe that a gentleman of position at the Bar and a Member of the other House of Parliament would so far forget his honour and his feeling as a gentleman as to pledge himself to a fact that he knew to be false? This attack was first made in 1835, and from that moment down to the present the right hon. Gentleman has been continually before the public, he has stood several contested elections, and has been returned six times consecutively Member for his county without a single word in reference to this matter being breathed against him. My Lords, I call on the noble Earl opposite to consider what a bad precedent has been made in this case; for where is the man whose character would be safe if, on the ground of some speech or conversation two or three and thirty years ago, such a charge is to be brought against him, the object of which is to remove him with ignominy from the high office he may have attained? Solemnly and seriously I ask the noble Earl before the world to consider the terrible consequences of the step he has been induced to take. I ask him whether, in justice to my right hon. and learned Friend, he does not consider it his duty to withdraw this Petition?

Earl RUSSELL: I hope your Lordships will permit me to refer again to the course I thought it my duty to take with regard to this Petition. The noble and learned Lord on the Woolsack has given his opinion that it would be better if on occasions of this kind no petition should be presented. Now, I quite agree with the noble and learned Lord that in a matter of private concern, without any public object apparent, it would not be right to present a petition of this kind to your Lordships; but this is the case of a petition signed by a subject of Her Majesty, asking Her Majesty for a remedy which is pointed out by the Constitution—namely, that a certain charge being made and proved, your Lordships should address the Crown to remove the Judge. I own it appeared to me that if petitions of that sort were refused by every Member of your Lordships' House, far more injury would be done than could result from their presentation and discussion, and that every kind of publicity would be given to the charges by publication in the newspapers without the opportunity of refutation. In the first place, there would be the appearance of shutting the doors of this House against the petitions of the Queen's subjects; in the next place, the charges would be repeated in the newspapers and pamphlets, and without the same opportunity to the party charged of answering them. My Lords, I did what I considered to be my duty; I took a copy of the Petition to the noble and learned Lord on the Woolsack. I stated that I looked to him as head of the law, and I asked him to have the goodness to communicate to the Lord Chief Baron the contents of the Petition. I did this, that when the Petition was presented there might be a full opportunity of an answer to the charges which it contained. That opportunity the noble and learned Lord on the Woolsack has fully and properly availed himself of. He has given a complete answer to all the charges made. It appears to me a matter of the greatest public importance that the character of our Judges should remain, as I am happy to think they have hitherto been, unstained and pure in the eyes of the public; and I do confess that it appears to me, my Lords, better that before an assembly such as your Lordships, such charges should be heard and refuted, than that they should be suppressed, and that every Peer should refuse to listen to a petitioner, and that a person aggrieved should not have the opportunity of saying that he was not even allowed a hearing in the House of Lords. That was the view I took of this matter; and I own I still think on an occasion of this kind, where great constitutional questions are concerned, that publicity and debate, either in this or the other House of Parliament, does tend to the public welfare. With regard to the request which the noble and learned Lord who last addressed your Lordships (Lord St. Leonards) has made, I am not versed in the proceedings of your Lordships' House with respect to petitions of this kind, whether they should be allowed to lie on the table or be withdrawn. I am free to declare, for my part, that I am ready to withdraw the Petition. I would refer the matter to the noble Earl the First Lord of the Treasury, who is well versed in the proceedings of the House. If he declares that it is in conformity with the usual course of proceeding to withdraw the Petition, I am quite ready to take that course. I am fully satisfied that the character of the eminent Judge, so far as it is impugned in the Petition, remains unstained; and that the subjects of Her Majesty may have full confidence in the administration of justice by that very eminent man, not only from his knowledge of the law and great learning, but also his high personal character.

The Earl of DERBY: My Lords, as the noble Earl has referred to me, I will say without the slightest hesitation that if I had been led inadvertently to present such a petition, I certainly should feel it my duty to withdraw it after the discussion which has taken place; and for this reason, that if you present a petition and move that it lie on the table, you express an opinion as to the merits of the case. But after the discussion which has taken place, after the crushing refutation of every single point, and the complete and entire vindication of the right hon. and learned person who was attacked, I do think the House of Lords is bound to go a little further than expressing no opinion about it. After the debate and refutation we shall only be doing our duty and supporting our own dignity and character by refusing to allow this Petition to lie on the table. I will not question the taste and judgment of the noble Earl in bringing it forward; but, having brought it forward, and having heard it refuted entirely to his own satisfaction, I think that his plain and obvious course is to withdraw the Petition.

Earl RUSSELL: I beg, my Lords, to withdraw the Petition.

The LORD CHANCELLOR: The

proper course will be to put the Question to the House—That the Petition do lie on the table? The Not-Contents have it.

APPREHENDED DISTURBANCES AT CHESTER.—QUESTION.

Lord STANLEY of ALDERLEY: I wish to put a question to the noble Earl respecting certain events which have just taken place at Chester. It appears that an inroad of some 1,500 Fenians has taken place, with the intention of attacking the Castle and possessing themselves of the arms stored there, and that there being very few troops to protect the city, it has been found necessary to send down by train a regiment of the Fusileer Guards. I would ask the noble Earl, Whether he has received to-day any accounts from Chester, and what was the state of the town?

The Earl of DERBY: I believe I can give the noble Lord little more information than has appeared in all the public papers. The facts are shortly these:—On Sunday morning my right hon. Friend the Secretary of State for the Home Department received an intimation from Liverpool that considerable excitement prevailed in that town caused by an extraordinary influx of strangers from Manchester, Staleybridge, Preston, Halifax, and other quarters, none of them appearing to have any business to do, and all of them having a very suspicious aspect. In the course of the afternoon of Sunday information had been received that the object of these men was to go on the following morning to Chester and endeavour to take possession of the arms stored in the Castle. In consequence of this information, the chief constable of Liverpool thought it necessary to send over an officer to Chester to apprise the authorities. It was late when he got there; but having called up the functionaries, he suggested that immediate steps should be taken; and next morning the proceedings were telegraphed to the Secretary of State for the Home Department. He thought it right to communicate at once with General Garvock, commanding the district, and with the Mayor of Chester, putting them in communication with each other, and authorizing the Mayor, if he thought it necessary, to send for an additional company of the 54th Regiment, from Preston. In the course of the day the number of these persons in Chester had largely increased. There were 1,500 or 1,600 who were described as Fenians, and apparently bent on the design attributed to them. The Mayor, therefore, requested authority to send for further troops from Manchester or Preston. Thereupon, my right hon. Friend communicated with the War Office and the Commander-in-Chief, and it was agreed between them that it was not desirable to weaken the small force at Preston and Manchester, on which the safety of Liverpool depended, there being not a single soldier there—consequently, if other troops were required it would be desirable to send down a battalion of Guards from London. That was communicated by telegraph to the Mayor between nine and ten o'clock, with the request that if more troops were considered necessary to telegraph back again and a battalion of Guards would be ready to be sent down. In the meantime directions were given that 500 men should be kept in readiness to start on a moment's notice. At one o'clock a telegram was received from the Mayor urgently desiring that the Guards should be sent down; and they were sent down at two o'clock this morning, and must have reached Chester at an early hour this morning. I requested my right hon. Friend to let me know the latest accounts; but when I came to the House he had not received any further intelligence. A private telegram, however, had been received by Lord Elcho from Lord Grosvenor, which reported that the matter had been serious, and that the town had been saved by the promptitude of the measures which had been taken.

TRAFFIC REGULATION (METROPOLIS) BILL—(No. 5.)

(*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of BELMORE, in moving that the Bill be now read the second time, said, that the necessity for legislation on this subject was shown by a Return which showed the number of persons killed and injured by being run over in the streets of London during the year 1865. In that portion of the town which fell under the supervision of the Metropolitan Police, the number of persons killed from the cause he had mentioned since January, 1865, to March, 1866, was 163; and in the City the number killed between the 1st of January, 1865, and the 26th of February, 1866, was 17. The number injured in the London Metropolitan Police district was 1,938, and in the City 237. The Bill applied to all parts of London, including the City, within a radius of four miles from Charing Cross. The Bill necessarily consisted in a great degree of matters of detail, the principal of which he would mention to their Lordships. The first clause after the interpretation clauses prohibited, under a penalty of 40*s*., the removal of ashes, dust, or refuse from any house, or the sweeping of streets—except the removal of snow—between the hours of ten o'clock in the morning and seven in the evening. By the next clause it was provided that no coal, or casks, whether empty or full, should be loaded or unloaded on or across any footway within the metropolis—which as defined by the Bill meant the City of London and all parishes and places within the jurisdiction of the Metropolitan Board of Works—except between the hours of one o'clock and ten in the morning, or in such back streets or other byways as might be approved by the Commissioners of Police; that no goods or other articles should be allowed to rest on any footway or other part of a street for a longer time than might be absolutely necessary for loading or unloading. As he had reason to believe that there would be a good deal of opposition to this clause, he pointed out that the public had an absolute right to the user of the foot pavement; and that although these provisions might cause a certain amount of inconvenience to individual interests, yet it was not unreasonable that those interests should give way to the general public good. It was likewise proposed by the Bill to prevent the driving of cattle through the streets between the hours of ten in the morning and seven in the evening without a licence from the Commissioners of Police. Another clause of the Bill contained a provision to prevent, without licence from the Police Commissioners, the driving along the streets carts laden with timber, iron, or other heavy goods, or with ladders, scaffolds, or poles, or other articles exceeding twenty-five feet in length, or any cart drawn by more than four horses, between the hours of ten in the morning and seven in the evening. With regard to the drivers of metropolitan stage carriages, it was provided that they should not stop to take up or set down except as near as possible to the left side of the roadway; there was a prohibition in the Bill against pictures, prints, boards, placards, or notices of any kind being carried or distributed by way of advertisement in any street by any person riding in any vehicle, or on horseback, or on foot. There were certain clauses in the measure relating to "special limits," and by these it was provided that the Commissioners of Police, subject to the sanction, in the Metropolitan Police district, of the Home Secretary, and in the City of the Home Secretary with the approval of the Lord Mayor and Aldermen, might from time to time take any street or portion of any street out of the special limits of the Act, and might make regulations prohibiting any vehicles coming into such street for the purpose of only passing through, and might lay down the route for them to take. The time during which vehicles might be allowed to come into or remain in any street within the special limits for the purpose of loading and unloading was also prescribed, as well as the maximum speed at which vehicles and horses were to go, and the line to be kept by persons riding, driving, or walking. The second part of the Bill contained regulations with respect to hackney carriages. In future the driver of any hackney carriage drawn by one horse would be entitled to a fare of not less than 1*s*.; and he would be bound to furnish his vehicle with at least one lamp properly trimmed and lighted after sunset. He intended to propose some other clauses in Committee with a view of providing for the public the benefit of a superior kind of cab or vehicle of that description. It had been stated by the Commissioners of Inland Revenue that the cabs of London were very bad and were getting worse, and into the hands of a more needy body of men. There were certain detailed regulations with respect to hackney carriages with which he need not trouble the House. He should next advert to those provisions of the Bill which related to the removal of snow. It was provided that the "street authority," be it the vestry or any other body, shall with all practicable speed remove the snow which falls in the streets within its jurisdiction. If the street authority neglected the performance of that duty, besides a penalty, complaint may be made by any private individual to a magistrate, and a summons may be obtained from him calling upon the offenders to appear before him; and, if satisfied of the justice of the charge, he might make an order requiring the street authority to remove the snow within a limited period—three hours, for instance—or some such reasonable time. If that order were disregarded, then the complainant might apply for a further order to remove the snow, authorizing him to employ persons for the purpose, and might, by a subsequent order to be called a pay order, recover the expenses of the work. The Bill went on to provide, with respect to dogs found straying about the streets, that they may be seized by the police and, if not claimed within three days, may be sold or destroyed; and upon complaint that any person has been bitten by any dog, the magistrate may direct the dog to be destroyed. There were besides certain miscellaneous provisions in the Bill relating to fairs, lamp-posts, and street-betting, with which he need not on that occasion trouble the House, and he would conclude by moving that it be read a second time.

Moved, "That the Bill be now read 2ª."—(*The Earl of Belmore.*)

LORD STANLEY OF ALDERLEY thought that although some of the provisions in the Bill might be advantageously adopted for facilitating the traffic in the central and most crowded districts of the metropolis, they would operate very vexatiously if brought into general operation in the suburbs. The noble Lord was also understood to ask for information on some of the details of the clauses. A Bill, like that now before the House, full of minute details, would require much examination, and he suggested that it would be improved if it were referred in the first instance to a Select Committee.

THE MARQUESS OF WESTMEATH called the attention of the House to the numerous deaths and the severe injuries to the person caused by the reckless driving of cabs and other one-horse vehicles in the metropolis; and he thought some provision, whether by way of giving the magistrates power to issue bye-laws, or in some other way, ought to be introduced into this Bill for the purpose of checking the evil of which he complained.

THE EARL OF BELMORE, in reply, said, that if it was thought that the details of the measure would be better considered in a Select Committee than in the usual Committee of the Whole House, he should not object to its being so referred, though he did not at present see the necessity of adopting such a course. With respect to the alteration in the cab fares, the proposition was that no cab should be called off the stand at less than 1*s.*, but that the hirer should be at liberty to insist on being driven two miles for that sum. He saw no reason for altering the provision with regard to the four mile radius.

THE EARL OF ELLENBOROUGH complained that the noise in their Lordships' House was so great that it was impossible to hear with any distinctness the statements of his noble Friend; but from what he could gather relative to the proposals submitted, they embraced many minute points of detail, which it would be impossible to discuss in that House, and therefore he agreed with his noble Friend (Lord Stanley of Alderley) that it would be expedient to send this Bill to a Select Committee.

THE EARL OF BELMORE would not offer any further objection to that course, and would therefore consent to the Bill being now read a second time, with the view of its being so referred.

Motion *agreed to.*

Bill read 2ª accordingly, and *referred* to a Select Committee.

And, on February 15, Select Committee *appointed* as follows:

Ld. Privy Seal	E. De Grey
Ld. Steward	E. Granville
E. Tankerville	E. Kimberley
E. Graham	L. Methuen
E. Lucan	L. Stanley of Alderley
E. Belmore	L. Houghton.

And, on February 18, The Marquess of Westmeath, The Earl of Airlie, and The Earl Stanhope *added;* February 19, The Lord Portman, and The Lord Ebury *added.*

BRITISH NORTH AMERICA BILL [H.L.]

A Bill for the Union of Canada, Nova Scotia, and New Brunswick, and the Government thereof; and for Purposes connected therewith—Was *presented* by The Earl of CARNARVON; read 1ª. (No. 9.)

SALE OF LAND BY AUCTION BILL [H.L.]

A Bill for amending the Law of Auctions of Estates — Was *presented* by The Lord ST. LEONARDS; read 1ª. (No. 10.)

House adjourned at a quarter before
Seven o'clock, to Thursday next,
half past Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 12, 1867.

MINUTES.]—NEW MEMBER SWORN—Sir John Burgess Karslake, knight, *for* Andover.

SELECT COMMITTEE—On Metropolitan Local Government *appointed.*

PUBLIC BILLS—*Resolutions in Committee*—Tests Abolition (Oxford).

Ordered—Artizans' and Labourers' Dwellings; Church Rates Commutation; Industrial Schools (Ireland); Tests Abolition (Oxford); Railway Debenture Holders; Land Tenure (Ireland)*; Associations of Workmen.

First Reading—Church Rates Abolition * [13]; Artizans' and Labourers' Dwellings [14]; Church Rates Commutation [15]; Tests Abolition (Oxford) [16]; Industrial Schools (Ireland) [17]; Trades Unions * [18]; Land Tenure (Ireland) * [19].

RAILWAY BILLS—STANDING ORDERS. DISPOSAL OF DEPOSITS.—QUESTION.

SIR COLMAN O'LOGHLEN called the attention of the House to the conflict between the Standing Orders of that House and the Standing Orders of the House of Lords as to the clause to be inserted in Railway Bills regulating the disposal of the deposit, and asked the Chairman of the Standing Orders Committee, What course he proposed to adopt to meet this state of circumstances? The conflict in question arose in consequence of an alteration made by the House of Lords in the Standing Orders on the last day or two of the previous Session, whereby the deposits lodged by railway companies were prohibited from being withdrawn until half the capital was subscribed, and a certain portion of the proposed line had been actually constructed. Now, as this alteration was opposed to the Standing Orders of the House of Commons, he was anxious to know what was to be done under the circumstances.

COLONEL WILSON PATTEN, Chairman of the Standing Orders Committee, said, the hon. Baronet opposite had called his attention to this subject in the last week of the last Session; but as almost all the Members who usually took part in Private Bills had then left town, he did not consider it prudent to bring this matter then before the House. The Standing Orders of the House of Commons permitted the withdrawal, under certain circumstances, of the deposit made by railway companies; but on the last day or two of the previous Session, at the instance of Lord Redesdale, an Amendment was made in the House of Lords whereby such withdrawal was impossible. This Amendment had occasioned much comment amongst all parties interested in railways. The Committee of Standing Orders were about to take the subject into their consideration, and he would be prepared to take such action in the matter as he would be advised.

MR. DODSON said, that the Amendments made in the Standing Orders of the House of Lords were of a character to contradict the Standing Orders of the House of Commons, and they were also to a certain extent in contravention of the 9 *Vict.* c. 20, which regulates deposits. When the Standing Orders of the House of Lords were of such a nature as to direct a certain clause to be inserted in every Railway Bill, it appeared to him to be trenching upon legislation, and it was practically an attempt at legislation by a single House of Parliament. In deciding on the course it should pursue in regard to these Amendments of the Lords, the House should, and no doubt would, be guided solely by the consideration whether those Amendments were just and expedient or not. It was, however, a thing to be regretted that such Amendments should be proposed in the other House of Parliament at a period of the Session when there was no opportunity of communicating directly or indirectly with Members of this House.

METROPOLITAN CABS AND HACKNEY CARRIAGE TRADE (METROPOLIS).

QUESTION.

MR. ALDERMAN LAWRENCE asked the Secretary of State for the Home Department, Whether his attention has been directed to the Report of the Commissioners of Inland Revenue for the year ended the 31st day of March 1866, in which they state their opinion of the condition of the Metropolitan cabs and also the peculiar nature of the hackney carriage trade in the metropolis; and also to the evidence of Sir Richard Mayne before a Committee of the House of Commons as to the inability of the police, under the present regulations, to prevent the licensing of cabs unfit for public use; and also to the evidence of Sir John Thwaites and others, before a Committee of the House of Commons, as to the very unsatisfactory condition of the hackney carriages of the metropolis as compared with those of other cities and towns in the kingdom, and with those of other cities in Europe; and, whether he will be prepared to introduce a measure during the present Session to consolidate the various Acts relating to metropolitan hackney carriages; to revise the tariff with a view of enabling the public to have the option of obtaining a superior class of hackney carriage at an increased fare; and to take away the power at present possessed by the cab-owners of imprisoning their drivers in White Cross Street Prison in the event of their failing to pay the daily hiring?

MR. WALPOLE stated that his attention had been directed to the Report of the Commissioners of Inland Revenue for the year ended the 31st of March, 1866, in which they expressed their opinion of the condition of the metropolitan cabs, and also of the peculiar nature of the hackney carriage trade in the metropolis ; and also to the evidence of Sir Richard Mayne before a Committee of the House of Commons as to the inability of the police, under the present regulations, to prevent the licensing of cabs unfit for public use ; and also to the evidence of Sir John Thwaites and others, before a Committee of the House of Commons, as to the very unsatisfactory condition of the hackney carriages of the metropolis as compared with those of other cities and towns in the kingdom, and with those of other cities in Europe. He believed all those statements to be substantially correct ; but the Government were not prepared to introduce a general measure during the present Session to consolidate the various Acts relating to metropolitan hackney carriages. As to the tariff of fares, he wished to inform the House that his noble Friend the Under Secretary for the Home Department in the other House had brought in a Bill relating to the street traffic in the metropolis, and in that Bill would be introduced clauses which it was hoped would have the effect of providing an improved class of hackney carriages. With respect to the third question, he was not prepared at present to say whether there ought to be any alteration of the law in that respect.

MR. ALDERMAN LAWRENCE then asked Mr. Chancellor of the Exchequer, Whether his attention has been directed to the Report of the Commissioners of Inland Revenue for the year ended the 31st day of March, 1866, in which they state—

> "It must be admitted that our four-wheeled cabs are a disgrace to the Metropolis of a great Empire ; that the Duty is very heavy; that capital is repelled from embarking in the hackney carriage trade ; and that the number of needy men who set up a single cab and drive it themselves is increasing every year, while that of the large proprietors is diminishing : "

and, whether he will be prepared to introduce a measure during the present Session for the equalization of the Duties on Metropolitan and Provincial hackney carriages, the Duty at present levied upon Metropolitan cabs being about three times that charged upon similar vehicles in any other part of the Kingdom ?

THE CHANCELLOR OF THE EXCHEQUER said, he had read the Report of the Commissioners of Inland Revenue with great interest, not merely with regard to the point mentioned by the worthy Alderman, but also with regard to several other matters. The worthy Alderman he was sure would not deem him guilty of any disrespect if on the present occasion he declined to give any information as to whether he was going to propose any remission or considerable alteration of the public taxes. He was sure the worthy Alderman would allow him when he had any alteration or remission to propose on such a subject to announce it himself to the House, and that he should not be asked to answer questions which, under the circumstances, would expose him to great misapprehension and lead to great inconveniences.

BRITISH TROOPS IN NEW ZEALAND.

QUESTION.

MR. GORST asked the Under Secretary of State for the Colonies, What is the number of British Troops still remaining in New Zealand ; what force is to be left there permanently; and, by whom the expense of maintaining such force is to be borne ?

MR. ADDERLEY said, that the British troops in New Zealand, already reduced from 10,000 to 3,190, are under orders to quit, except one regiment of Infantry, which this country will maintain ; but, while it does so, the colony is to appropriate yearly £50,000 to native purposes. Peremptory orders had been issued to immediately send home the excess of the number over the one regiment to be kept there, and it did not appear, from the most recent accounts received from the colony, that there was any reason why those orders should not be immediately obeyed. He should present further papers in continuation of those presented at the end of last Session, which would put the House in possession of all the correspondence that had taken place on the affairs of New Zealand up to the present time.

SCURVY.—QUESTION.

MR. HANBURY-TRACY asked the President of the Board of Trade, If his attention has been called to the circumstance that on the 9th instant eleven seamen were hoisted helplessly on board the

Dreadnought Hospital Ship in a state of utter prostration, from the easily preventible disease of scurvy, whilst others were received the same day suffering in a less degree from the same malady; and, whether steps have been taken to ascertain the number of British seamen suffering in a greater or less degree from scurvy at the home ports, who take refuge in sailors' homes and in lodginghouses apart from the seamens' hospitals; and also at the Colonial and Consular ports, in the Indian and Pacific ports?

SIR STAFFORD NORTHCOTE: Yes, the attention of the Board of Trade has been directed to the case of these seamen, and an inquiry has been ordered into the circumstances. That inquiry is now taking place. I may mention that it has for some time past been the practice of the Board of Trade to direct the shipping masters of the different ports to report to them all cases of seamen landing ill of scurvy. We have, however, no special information as to the number of such seamen who take refuge in sailors' homes or in lodginghouses. In the ports, however, the case is different, and the results of the inquiries that had been made were laid before Parliament last Session. More recent papers relating to the same subject will be shortly laid upon the table. In regard to the Colonial and Consular ports we have not the same means of obtaining information. A correspondence in reference to this matter has been going on with the Indian Government, and the papers will be laid before Parliament. The Government hopes before long to be able to introduce some provisions to meet this very melancholy case, and to apply a stronger control over the causes which seem to render the disease of scurvy so prevalent.

SCOTCH BUSINESS.—QUESTION.

MR. BAXTER asked the Secretary of State for the Home Department, What Scotch Bills are to be introduced by Government, and who is to take charge of Scotch business in the House of Commons, the Lord Advocate not having a seat?

MR. WALPOLE: I have just had some correspondence with the Lord Advocate upon this subject; but, as he is not now in London, and as no definite arrangement has been made, perhaps the hon. Gentleman will have no objection to put his Question again on Friday, when I hope I shall be able to give him a satisfactory answer.

RATING AND RENTALS.

QUESTION.

MR. BASS asked the President of the Poor Law Board, When the Returns as to Rating and Rentals ordered by the House on the 28th day of June will be presented?

MR. GATHORNE HARDY: In consequence of a letter the hon. Gentleman addressed to me yesterday, I have made inquiry on the subject, and I find that the Poor Law Officers state they are not in possession of materials necessary to enable them to furnish the Returns. The few Returns which have come in are so imperfect in many respects that they are of no use whatever.

APPREHENDED DISTURBANCES AT CHESTER.—QUESTION.

COLONEL FRENCH: I wish to put a Question with reference to a statement in the morning newspapers that 800 persons in the course of yesterday took possession of Chester Castle. That the alarm was so great that the inhabitants were sworn in as special constables, and that that alarm extended to Her Majesty's Government, a regiment of Guards having been sent down last night by special train. Will the right hon. Gentleman the Secretary of State for the Home Department let us know what truth there is in these statements, and what reason there is for supposing the movement to be a Fenian one? I am informed that the gathering was really nothing but a collection of roughs to witness a prize fight that was coming off in the neighbourhood.

MR. WALPOLE: Perhaps the best answer I can give to the Question of the hon. Gentleman will be to state, in as simple a narrative as I can, all the circumstances leading to the inquiry he has made of the Government. On Sunday morning last I received a communication stating that there was unusual excitement among those who are generally acknowledged, or, at any rate, believed to be Fenians in the town of Liverpool. It was stated that they were meeting together with unusual frequency, and that there was some apprehension that a movement was about to be made on their part. In consequence of that information, on Sunday afternoon I sent down a person specially to inquire into the truth of those statements which had been communicated to me, and to report as soon as possible what information he could obtain for the Government. Soon after I had reached the Home Office on Monday morning a telegraphic message came from the Mayor of Chester, stating that a large number of strangers were in the town and neighbourhood; that they were believed to be Fenians; and that the apprehension was they were about to attack the Castle, for the purpose of obtaining the arms and ammunition stored there ; and the telegram also stated the numbers of troops there were in the town, and expressed a wish that an additional force should be sent down. Upon that information being conveyed to the Home Office, I directed that a company of troops should be sent from Manchester to Chester, in addition to the troops then stationed there. Later in the day I received a report from the person I had sent to Liverpool, and according to that report it had been ascertained that on the previous Friday evening there had been held a meeting of Fenians, who had resolved to attack the town of Chester on the Monday morning for the purpose of obtaining the arms and ammunition contained in the Castle. So far, the report received from Liverpool corresponded with circumstances mentioned in the telegrams which came from the Mayor of Chester, and this correspondence gave a serious aspect to the affair. Still later in the day I received two other telegrams—one with reference to the calling out of the Volunteers in case the troops in the Castle should require additional support, and the other a general telegram as to how they were to act. With regard to the first, I replied that the Mayor ought not to call out the Volunteers in their military capacity ; that it would be their duty to aid in preserving the public peace as much as it was the duty of any other civilians to do so; and that in case of emergency they would be justified in using their arms, not in a military capacity, but as I have stated. With regard to the second telegram, I replied that the Mayor had better put himself in communication with Major General Sir John Garvock, who commands the troops in the northern division of England ; and a further telegram was sent to General Garvock, instructing him to put himself in communication with the Mayor of Chester, and so save telegraphic messages coming to the Home Office. That was all that had been done up to the time the House met yesterday. Yesterday evening, while my right hon. Friend (the Chancellor of the Exchequer) was making his statement to the House, I received a further telegram from the Mayor of Chester, and it was as nearly as possible in these words—

> "400 more have arrived, making in all 1,200 in the city. The town is in a state of excitement, and more troops are required."

On receipt of the telegram I communicated with the heads of the Departments as much connected with such a subject as is my own, and we consulted as to the course that had better be taken. We agreed, inasmuch as there was no specific statement that these strangers were armed, and inasmuch as there was a great absence of details such as would justify the Government in adopting extraordinary measures, to send telegrams to the Mayor of Chester and to General Garvock. That addressed to General Garvock inquired whether the strangers in Chester were armed ; if so, whether he required any further force ; and, if he required such force, to what extent. That sent to the Mayor was to this effect—

> "Telegraph directly what is the state of the town at this moment, and whether anything further is needed."

We determined not to send any troops in addition to those which had been sent until we got an answer to those telegrams ; but my Colleagues agreed with me that, if we did have an answer, then I should be at liberty to communicate with my right hon. Friend the Secretary of State for War, and that such measures might be adopted as might be deemed advisable. I ought to observe, that in the interim we had desired that a battalion of Guards should be in readiness in case they were needed ; and also that a train should be kept under steam ready for their conveyance. I received no answer to either telegram until this morning. I received the answer to the Mayor's telegram first, about one o'clock this morning, and from General Garvock about a quarter past four. The telegram from the Mayor was to this effect—

> "There are 1,500 strangers in the city ; they have come from Liverpool, Manchester, Halifax, Stalybridge, and other places. The town is in great excitement. Please telegraph directly to Manchester for more military. All our other means of prevention are exhausted."

I considered what was best to be done under these circumstances, and upon these reports. I wrote to the Brigade Major of the Guards, sending the letter through my right hon. Friend the Secretary of State for War, stating that I thought he had better send down 500 Guards for these reasons—first of all, because it would be very detrimental to denude Manchester of troops instead of sending them from London, and it was important if any outbreak occurred, that Liverpool and other towns in the neighbourhood should be as much protected as Chester; in the second place, I thought that prevention was better than cure; and thirdly, I believed that instead of waiting for morning, if it was known that the Guards were in Chester when the people rose from their beds, it would have a greater effect by inspiring confidence among the good and peaceful inhabitants, and striking terror among the evil-disposed. It was under these circumstances that the troops were sent. Three hours afterwards I received a telegram from General Garvock, who did not take so gloomy a view of the affair as had been taken by the civil authorities. He thought the troops in Chester were sufficient for its protection. I have no detailed intelligence beyond what I have now given to the House. I have no detailed intelligence received to-day. I hear that several of these men went away last night or early in the morning; I hear further that several of these strangers were in Chester two days; but, until I receive fuller information, I am not able to communicate to the House anything beyond what I have briefly and plainly stated. I have given no opinion as to whether this is a Fenian outbreak or not; but the circumstances unquestionably point in that direction. I trust the course the Government has taken will meet with the approbation of the House, and show those, if there be such in England, who wish for an outbreak, that they will be sure to be repelled without promoting the mischief they intend.

Mr. CHICHESTER FORTESCUE: Has the right hon. Gentleman received any information as to whether the strangers in Chester were armed; what their conduct was; what they did; and whether they threatened the Castle or made any other demonstration?

Mr. WALPOLE: I have received no information down to this moment as to whether they were armed or not.

Mr. OWEN STANLEY wished to ask the right hon. Gentleman the Secretary of State for the Home Department, or the right hon. Gentleman the Secretary of State for War, what the military force at Chester Castle was on Friday last?

Mr. WALPOLE: I hope the House will not press for that information till to-morrow.

Mr. OWEN STANLEY said, he would give notice of a Question on the subject.

Lord ELCHO: I think it right—as I am in possession of a telegram from Chester from Earl Grosvenor, who went down yesterday afternoon—he being in command of the Chester troop of Yeomanry—that I should inform the House of its contents. It arrived at four o'clock this afternoon, and is to the following effect:—"Was serious. Timely information saved the town. All right now."

GRANTS FOR FORTIFICATIONS.

ADDRESS FOR A RETURN.

Colonel SYKES rose to call the attention of the House to the Grants of Money, authorized by the Act 23 & 24 *Vict.* c. 109, for constructing Fortifications to the number of seventy-one, and to move an Address for a Return of the past and prospective outlay in detail upon the seventy-one Works [in a form stated.] He said, it was not his desire to invite discussion at present, but to ask the House to consider the subject by the help of the facts which this Return would supply, before they granted further supplies for these fortifications. The House had engaged to lay out £11,500,000 upon the seventy-one works, not including the central arsenal at Weedon. Since 1860, when this money was granted, the opinions of engineers must have undergone great change; and he should, at a future time, raise the question whether in the interest of the taxpayers of this country it was desirable to carry out the project, which was the result of panic arising from the alleged foolish boasting of some French colonels. The money already raised was £5,200,000, the first grant having been £2,000,000, the second £1,000,000, and £650,000 in succeeding years until 1866. His object in now asking for these particulars was to elicit facts upon which the House might form their own judgment.

General PEEL: So far from having any objection to furnish the Return moved for, my hon. and gallant Friend has only anticipated me in doing nearly what I proposed to have done myself. During the recess I called for a Report for the express purpose of laying it upon the table of the House. That Report was upon the progress made in constructing the fortifications. It gives an account of all the steps that have been taken, the different Acts of Parliament passed upon the subject, and the sums raised under those Acts of Parliament. It then goes on to give a short statement with reference to the object and the nature of each work included in the schedule of the Fortification Act of 1865, the progress made in its construction, the expenditure and liability incurred thereon, and the probable sum for which it will be completed. This Return would now have been in the hands of Members if I had not delayed it in order to carry the expenditure down to the 1st of January; but it will be in the hands of Members in the course of a very few days. I think that my hon. and gallant Friend is quite right in deprecating any discussion until the Returns are presented. But no person can be more anxious than I am that the House should be placed in possession of the fullest information upon this point. Up to the present moment the Government have incurred no responsibility whatever with regard to these fortifications. The works have been going on during the time we have been in Office, but those works are under contracts made before we came into Office. I certainly proposed last year to move for £50,000, in order to carry out works necessary for the defence of the Thames, which, at the present moment, is not defended at all. But the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) objected to that outlay, because the work was not one of those included in the schedule of the Act, and therefore it should not be paid for by money raised by a Vote of this House. On looking into the Act, I found that the right hon. Gentleman was right in that objection. I hold the late Government responsible for the completion of the works included in the schedule laid before Parliament in the Act of 1865. According to that schedule the estimated expenditure upon these works was not, as my hon. and gallant Friend says, £11,000,000—that was the amount contemplated by the first schedule—but £6,995,000, or, in round numbers, £7,000,000. But I hold the late Government responsible for more than that. The Estimate that I shall lay on the table for the completion of these works will show an excess of £152,000, which, considering that labour has risen 15 per cent since the Estimates were first made and the works first planned, is no very great excess. But there is a further Estimate which will be necessary to complete the works as they certainly ought to be completed. A great many of these batteries will be perfectly useless unless sheathed with iron, and it is also necessary to place in turrets and on turn-tables the heavy guns with which those batteries must be armed. The additional expense required for this iron sheathing and these turn-tables will be very nearly £1,000,000. I hope, however, that this expenditure may be met by deducting the outlay contemplated upon works which were included in the schedule but have not yet been commenced. Thus there is a contemplated charge of £500,000 for defences at Chatham, and another sum of £150,000 for the purchase of a site for a central arsenal; and I hope that those sums may be struck out of the schedule. When these Returns are laid on the table I shall be able to show conclusively that up to this moment the present Government have incurred no responsibility whatever with regard to these fortifications, and that it will be for the House to consider whether they shall be completed and supplied with iron shields, turrets, and turn-tables. I have to add that there is one portion of the expense of these fortifications which it was always intended to throw upon the annual Estimates—that is to say, the armaments. Now, although that conclusion was come to in 1860, it was only in the present year that any guns have been prepared. An extraordinary estimate was made by the hon. Baronet (Sir Morton Peto), who frightened the House by declaring, if I remember rightly, that £17,000,000 would be necessary to complete the armaments and the ammunition of these fortifications. My noble Friend the late Secretary for War estimated the amount which would be requisite at £3,000,000; and owing to the great reduction in the expense of making guns, and also of shot, I do not believe that the armaments of these fortifications will amount to much more than half the £3,000,000 stated by my noble Friend. Every information will be given to the House in this Return, which will be in the possession of the House in a day or two.

Motion *agreed to.*

ARTIZANS' AND LABOURERS' DWELLINGS BILL.

LEAVE. FIRST READING.

MR. M'CULLAGH TORRENS, in moving for leave to bring in a Bill relating to Artizans' and Labourers' Dwellings, said, that last Session he had the honour of introducing a similar measure, which was read a second time without a division. It was then referred to a Select Committee, which reported unanimously in its favour. The Bill was intended to provide better dwellings for artizans and labourers; and he asked to introduce it now in the same terms as he had reported it from the Select Committee of last Session. The measure was therefore no longer his, but that of the Select Committee. It was not found possible to pass the Bill last year, and he now asked the House to re-consider the subject. The additional information which he had been able to obtain between the end of the last and the opening of the present Session led him to the conclusion that matters were getting worse rather than better, and that the want of accommodation and the amount of misery which resulted from it far exceeded all that voluntary efforts could do to afford relief. All that many benevolent and enterprizing persons like Alderman Waterlow could effect was as nothing compared to what was urgently demanded. The Industrial Dwellings Company had spent £40,000, and thereby given relief to 1,400 or 1,500 persons. At this rate the advance of £1,000,000 by the Public Works Loan Commissioners, as proposed by this Bill, would enable them to provide in one year for 35,000 people. He did not ask that that sum should be lent at once, but only tentatively; and he begged the House to remember that it was not out of the general taxation of the country that he asked the loan to be advanced. The Chancellor of the Exchequer debited himself to the amount of some £46,000,000 or £47,000,000, a portion of the thrift and savings of the working classes, and as the Government paid only 2½ per cent on that vast sum, it was not unreasonable to ask that £1,000,000 should be lent back at 3½ per cent. It was said, by way of objection, "If those dwellings will pay a remunerative interest, why not leave it to private enterprize to deal with the emergency?" But building speculations, if properly carried on, would require 8 or 10 per cent, and private enterprize sought only the sunny spots, while it left the dark spots of pestilence and death wholly unrelieved. He was prepared, however, to show that no loss could accrue to the public. Whatever sums were advanced by the Exchequer Loan Commissioners would be charged by way of mortgage on the buildings to be erected, the plans and surveys of which would be laid before them, and they would have the security of the municipal and in London of the metropolitan rate to make up any deficiency. He proposed to adopt a plan which was in successful operation in Liverpool — namely, that houses condemned by the officer of health should be presented before the grand jury; that the owner should be allowed a reasonable time in which to rebuild them; and that if he failed to do so they should be bought by the municipal body, which should rebuild them, and after the lapse of seven years should re-sell the property. He had reason to hope that the Metropolitan Board of Works would be willing to undertake the duty which would thus be cast upon them; and he believed that no burden would be imposed on the ratepayers, since the increasing value of house property was a sufficient assurance that houses re-built by the Board would re-imburse the original outlay. The hon. Member concluded by moving for leave to bring in the Bill.

Mr. WALPOLE remarked that at the late period at which the hon. Gentleman brought in his Bill last Session, it was hardly possible for the Government to bestow any consideration upon it. In the general object of the Bill he, for one, most heartily concurred; but he wished to guard himself from expressing an opinion on that part of it containing an important provision relating to the property and rights of individuals, which required to be carefully looked into. With that qualification he should be happy to give his support to the Bill.

Mr. J. B. SMITH contended that it would be useless for capitalists to compete with persons who built houses and required only 5 per cent interest, and that the Bill would therefore place them in an unfair position. He thought his hon. Friend had taken a leaf out of Louis Blanc's book, and that if he began by building houses for artizans, he would end by establishing *ateliers nationaux.*

Mr. LOCKE observed, that if the hon. Member for Stockport (Mr. J. B. Smith) wished to protect persons who were anxious to spend their money in building houses there could not be the slightest objection to their doing that, and especially in neighbourhoods where better dwellings for the poor were wanted. The object of the Bill was to destroy fever nests in the metropolis, and they had the evidence of medical men, officers of the boards of health numberless, to the fact that without some such Bill it was impossible that the public health could be protected. This was not the first time that a strong feeling of political economy had been brought to bear against a charitable and humane scheme for the benefit of the poor. There were spots in the metropolis which had been condemned over and over again, situate in a *cul-de-sac*, where it was impossible fresh air could penetrate, and where disease generally prevailed, and it was proposed that the municipal or local authorities should have the power of condemning the houses in these localities, and seeing that proper dwellings were erected in their place. The late Government approved of the principle, and also of lending money to carry out the object. His right hon. Friend the present Secretary of State for the Home Department said he entirely approved of the Bill; and the only question was, whether the interests of private individuals had been guarded with sufficient care. In the Committee which sat last year on the Bill this point was very carefully considered, and he believed there were ample clauses in this Bill to protect the interests of individuals. He had asked one of the directors of Mr. Alderman Waterlow's Company, whether some of their buildings in the borough paid 5 per cent, and the reply was that they paid 10. "How was that?" he inquired; and the director replied, "In consequence of the locality being near their work, so as to enable the tenants to go home to their meals." That was a strong argument in favour of removing these pestilential buildings and erecting others in their place for the working classes, instead of driving those classes to the suburbs. The working classes, like the rest of the community, objected to being driven out of the localities in which they had hitherto dwelt, and be thus cut off from those associations which they had been accustomed to enjoy. It was likewise most objectionable that they should be compelled to dwell in places at a distance from the metropolis entirely alone. It was desirable that all classes should be in proximity to one another, so that the less fortunate might profit by the example and support of those who were more affluent than themselves. These objects the Bill was well calculated to effect.

COLONEL SYKES said, the question was not whether money should be found for building dwellings for the poor, but whether they should, with a view to the public advantage, try to get rid of disease and misery. Enormous mortality was caused by people being crowded together in what were little better than dungeons. He regretted that Scotland was excluded from the benefit of the recent Act allowing loans for such improvements, for there was a sanitary society in Aberdeen which had effected great good, but which was unfortunately short of funds, and when he applied to Mr. Spearman for a loan he was surprised to find there was a clause exempting Scotland. He hoped the rents for houses thus re-built would be fixed at sums which working men could afford to pay, for in Aberdeen lodgings were provided at as low a sum as 1*s.* 9*d.* a week.

MR. KINNAIRD was glad to state that the Government had consented to include Scotland and Ireland within the operation of the recent Act. He rejoiced also to find that they were prepared to give the fairest consideration to the present Bill, and he hoped it would become law this Session.

Motion *agreed to.*

Bill to provide better Dwellings in Towns for Artizans and Labourers, *ordered* to be brought in by Mr. M'CULLAGH TORRENS, Mr. KINNAIRD, and Mr. LOCKE.

Bill *presented,* and read the first time. [Bill 14.]

COMMUTATION OF CHURCH RATES BILL.

LEAVE. FIRST READING.

MR. NEWDEGATE rose to move for leave to bring in a Bill for the Commutation of Church Rates. Last year he introduced the same measure, but withdrew it in deference to the right hon. Member for South Lancashire.

Motion made, and Question proposed, "That leave be given to bring in a Bill for the Commutation of Church Rates."—(*Mr. Newdegate.*)

MR. HADFIELD said, he wished for some explanation on the part of the hon. Member for North Warwickshire. He presumed it was the Bill of last year for commuting church rates; and if so, it contained a proposition to impose a rate of 2*d.* in the pound upon all real estate for the maintenance of the fabrics of churches. This rate would produce a sum of £800,000 or £900,000 per annum. He believed the hon. Member for North Warwickshire disputed his figures; but that was the result of his own calculation. Were they to have the same Bill this year as they had for several years preceding? He thought it would be wise to let the subject drop. It had been before the House thirty years, and the character of the House had not risen in consequence. He hoped that the Government would express an opinion on the subject. It would not do to keep this question constantly before the country. He thought there should be a dissolution between Church and State. It should never be forgotten that the Nonconformists claimed to be a majority of the people of England; that in Scotland the Church of England had not many supporters; that in Ireland the Church was not one-eighth of the people. Under these circumstances, to have a Bill thrown in their teeth claiming a rate of 2*d.* in the pound was too bad. It was time that this was put an end to; and he moved, as an Amendment, "the Previous Question."

Mr. CANDLISH seconded the Amendment.

Previous Question proposed, "That that Question be now put."—(*Mr. Hadfield.*)

Mr. NEWDEGATE, in explanation, said, the hon. Member was speaking of a Bill not in his hand; and he had made a most extraordinary statement with respect to the Bill of last Session. The hon. Member had said that he (Mr. Newdegate) intended, by the Bill of last year, to impose a charge on real property amounting to £800,000 or £900,000 a year. The hon. Member could not have read that Bill. He (Mr. Newdegate) remembered explaining to the hon. Member some years ago that such was not the effect, or the purpose, or the intention of the Bill. He could only express a hope that as the subject had been discussed in the House of Commons, he would be allowed to lay the Bill on the table of the House.

Sir GEORGE GREY said, it was a matter of ordinary courtesy to allow an hon. Member to introduce a Bill, and he hoped the hon. Member for Sheffield would not oppose that course on the present occasion.

Mr. HADFIELD then withdrew his Amendment.

Previous Question, by leave, *withdrawn*.

Main Question put, and *agreed to*.

Bill *ordered* to be brought in by Mr. Newdegate and Colonel Stuart.

Bill *presented*, and read the first time. [Bill 15.]

INDUSTRIAL SCHOOLS (IRELAND) BILL.

LEAVE. FIRST READING.

The O'CONOR DON, in moving for leave to bring in a Bill to extend the Industrial Schools Act to Ireland, said, that the measure was the same as the Act passed for Great Britain last Session, with such modifications as were required by the peculiar circumstances of Ireland. He had taken the Irish Reformatory Act as the model on which those alterations were made. The necessity for such a measure was even greater in Ireland than in England. From the judicial statistics published by the Irish Government, it appeared that the criminal statistics of Ireland compared favourably in every respect with those of England, except in the item of juvenile vagrancy. The number of juvenile vagrants and tramps in Ireland was twice as great as in England in proportion to the population, and this was mainly attributable to the fact that there was no institution in Ireland to which these unfortunate children could be sent. The Act of last Session had given general satisfaction.

Motion *agreed to*.

Bill to extend the Industrial Schools Act to Ireland, *ordered* to be brought in by The O'Conor Don, Mr. Monsell, and Mr. Leatham.

Bill *presented*, and read the first time. [Bill 17.]

TESTS ABOLITION OXFORD BILL.

RESOLUTION IN COMMITTEE. BILL ORDERED. FIRST READING.

Tests Abolition (Oxford) *considered* in Committee.

(In the Committee.)

Mr. COLERIDGE *moved* a Resolution,

"That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide for the abolition of Religious Tests in connection with Academical Degrees and Offices in the University of Oxford."

Mr. FAWCETT thought the House would remember that last Session the right hon. Gentleman the Member for Calne, in one of the most completely Liberal speeches he ever made in the House on the Universities, strongly advised that so far as possible some of these Bills should be united, and that the House should not be troubled with constant repetitions of the same question. The Bill of the hon. and learned Member was distinct in principle from that of another hon. Member, because the latter affected endowments, while the present Bill simply related to degrees and offices in the

University, and he was aware that some who would vote for one would not support the other. What he rose for was to give notice that if the Bill of the hon. and learned Member went into Committee, he should move that it be an Instruction to the Committee that the Bill be made to apply to the University of Cambridge as well as to the University of Oxford.

Resolution *agreed to.*

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to provide for the abolition of Religious Tests in connection with Academical Degrees and Offices in the University of Oxford.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. COLERIDGE and Mr. GRANT DUFF.

Bill *presented,* and read the first time. [Bill 16.]

RAILWAY DEBENTURE HOLDERS BILL.

LEAVE. FIRST READING.

MR. WATKIN, in moving for leave to bring in a Bill for affording better security to the holders of Railway Debentures, said, that it would be unnecessary to trouble the House at any length, as the right hon. Gentleman the President of the Board of Trade, to whom he had submitted a sketch of the Bill, had intimated that he would not oppose its introduction. He merely wished to say that he brought in the Bill in the interest of the 80,000 or 100,000 persons who were the owners of the £120,000,000 invested in railway debentures, and the object of it was to remove by legislation certain difficulties which had arisen, and to provide machinery by which, in certain cases, debenture-holders might take some share in the management of their own affairs. He desired to remove an impression which might be created by what he had said on a previous occasion—that the nominal capital of railway property in difficulties was one-tenth of the whole. Upon further examination, and having had a table carefully prepared, he found that the gross nominal capital of railways, where the interest on debentures had failed to be paid, was £24,700,000. This included nearly £17,000,000, the nominal capital of the London, Chatham, and Dover Railway. Out of the £24,700,000 of nominal capital, £6,600,000 only consisted of debentures, of which sum nearly £5,000,000 attached to the Chatham. Thus the whole nominal amounts of capital of unsound lines was less than 5 per cent of the whole railway capital of the country; and the debenture-debt, inclusive of that of the Chatham, was only 1½ per cent, and exclusive of the Chatham, only 6*s.* 8*d.* per cent. Was it not, therefore, unnecessary that the House should be asked to take into consideration any general scheme of legislation? At the same time, he thought that whenever a railway company, sound or unsound, applied to Parliament to regulate its capital account, and to enable it to meet its liabilities and complete its works, it would be the duty of the House rather to facilitate than to place any difficulties in the way of such an application. Many cases had occurred in which difficulties had been got over by means of a perfect agreement between all parties interested. The House would remember the case of the Caledonian Railway. It was in the greatest difficulties when the shareholders and bondholders devised a scheme, to which they ultimately obtained the sanction of Parliament, and in the result secured a large measure of prosperity. He was not without hope that, if a similar course were adopted, companies now in difficulties might, in the course of two or three years, be successfully extricated from them. It must be borne in mind that he was speaking in the interest of property equal to £450,000,000, the development of which had conferred an enormous advantage to the trade of the country. He might say, for the satisfaction of the debenture-holders, that at the end of 1865 the debenture capital was under £100,000,000, and at the end of 1866 it was under £120,000,000. The total net profit earned by railway capital in 1865 was nearly £19,000,000, and in 1866 it was nearly £21,000,000. Therefore, if six years' net revenue of all the railways were thrown together, it would pay off the whole of the debentures, which were the first mortgage on the undertaking. The hon. Member concluded by moving for leave to bring in the Bill.

SIR STAFFORD NORTHCOTE said, he saw no objection to the introduction of the Bill, as its provisions were prospective only. By the time it came on for second reading the House would have had an opportunity of seeing whether the plan could be adopted without injustice to other classes of creditors. He was glad the hon. Gentleman took the same view as he himself had ventured to express the other evening — namely, that it was desirable when cases such as those to which the hon. Member referred arose they should be dealt with by special legislation. He also concurred with the hon. Gentleman in thinking we might look forward to a more satisfactory state of the railway world. He believed there was unnecessary panic in reference to railway property.

Motion *agreed to.*

Bill for affording better security to the holders of Railway Debentures, *ordered* to be brought in by Mr. WATKIN, Mr. Alderman SALOMONS, and Mr. LAING.

ASSOCIATIONS OF WORKMEN BILL.

LEAVE. FIRST READING.

MR. NEATE rose to move for leave to bring in a Bill to exempt during a limited time Associations of Workmen which were in respect of any part of their constitution entitled to the benefits of the Act 18 & 19 *Vict.* c. 63, from forfeiture of those benefits by reason of their being in other parts of their constitution adapted to the purposes of a trades union. The hon. Member remarked, that previously to 1825 all combinations of workmen for the object of getting any advance of wages were illegal; but in that year a measure was passed removing all liability in criminal proceedings from all societies of a peaceable kind, and these societies continued for a long time to enjoy such facilities for the administration of their funds as the law then allowed to other societies. Then came the Friendly Societies' Act of the 18 & 19 *Vict.*, in which special facilities were given to what were termed Friendly Societies—that is, societies raised and constituted in pursuance of the provisions of the Act. At that time there were friendly societies which partook to a certain degree of the character of trades unions, and on these also certain advantages were conferred by a clause introduced into the Act of 1844. Very recently, however, on the occasion of the treasurer of a society absconding and the matter being brought before a magistrate, the magistrate refused to grant a warrant, on the ground that the society was not entitled to the benefit of the Friendly Societies' Act, on account of its being partly of a trades union character. Subsequently the decision of the magistrates was confirmed by the Court of Queen's Bench. He did not question for a moment that the decision was right; but still, it was productive of great inconvenience, and he might mention that it affected not only trades unions of the most complicated and oppressive character, but also those which were of the most innocent kind. It might be that the forthcoming inquiry on the subject of trades unions might exclude them from the pale of the law; but that certainly had not hitherto been the intention of the House of Commons, because, for example, four years ago they were empowered to invest their funds on the security of the Post Office savings banks. In his opinion, a Bill ought to be passed to protect these associations—at any rate, for a time and until the whole law had been considered—from the effect of the recent decision. The hon. Member concluded by moving for leave to bring in the Bill.

MR. WALPOLE: The difficulty proposed to be dealt with is very great, as it will be necessary to draw a line between such societies as ought to take advantage of the Friendly Societies' Act and those societies which are contrary to law. Of course, I can give no opinion on the hon. Member's measure till I have seen its provisions, but I shall not oppose the introduction of the Bill.

Motion *agreed to.*

Bill to exempt Associations of Workmen from certain disabilities for a limited time, *ordered* to be brought in by Mr. NEATE and Mr. THOMAS HUGHES.

THAMES NAVIGATION BILL.

Bill "for extending to the Thames between Staines and the Metropolis the provisions of 'The Thames Navigation Act, 1866,' relating to the prevention of the pollution of the River; and for otherwise extending and amending the Thames Conservancy and Navigation Acts; and for other purposes," read the first time.

CHURCH RATES ABOLITION BILL.

On Motion of Mr. HARDCASTLE, Bill for the Abolition of Church Rates, *ordered* to be brought in by Mr. HARDCASTLE, Mr. BAINES, and Mr. TREVELYAN.

Bill *presented,* and read the first time. [Bill 13.]

LAND TENURE (IRELAND) BILL.

On Motion of Sir COLMAN O'LOGHLEN, Bill to regulate and improve the Tenure of Land in Ireland between Landlord and Tenant, *ordered* to be brought in by Sir COLMAN O'LOGHLEN and Mr. GREGORY.

Bill *presented,* and read the first time. [Bill 19.]

METROPOLITAN LOCAL GOVERNMENT, &C.

Select Committee *appointed,* "to inquire into the Local Government and Local Taxation of the Metropolis."—(*Mr. Ayrton.*)

And, on February 13, Committee *nominated* as follows:—Mr. Ayrton, Mr. Tite, Mr. Bazley, Mr. Locke, Mr. Alderman Lawrence, Mr. Knatchbull-Hugessen, Mr. Mill, Mr. Hanbury, Lord John Manners, Mr. Beecroft, Mr. Turner, Sir William Gallwey, Mr. Bentinck, Mr. Sandford, and Mr. Kekewich:—Power to send for persons, papers, and records; Five to be the quorum.

House adjourned at half after Six o'clock.

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HOUSE OF COMMONS,

Wednesday, February 13, 1867.

MINUTES.]—Select Committee—On Metropolitan Local Government *nominated.*

Supply—*Committee deferred* till Friday.

Public Bills — *Second Reading* — Finsbury Estate [1]; Joint Stock Companies (Voting Papers)* [3].

FINSBURY ESTATE BILL—[Bill 1.]

(Mr. Ayrton, Mr. Locke.)

SECOND READING.

Order for Second Reading read.

Mr. AYRTON said, he had thought he should not be compelled to trouble the House at any length in respect to this Bill, because it had been fully considered by the House last Session, when it received a second reading. At that time the then Secretary for the Home Department recognised the principle on which it was based; but acquiescing in the second reading, reserved to himself the right of considering its details in Committee. Soon after the second reading the momentous vote occurred which transferred the then Secretary of State to the Opposition side of the House, and placed the right hon. Gentleman who now held the office in his stead. The progress of public business was for some time interrupted, owing to the delay which occurred in the formation of the new Government, and to other attendant circumstances. The second reading having taken place in the beginning of June, he (Mr. Ayrton) was unable to move for the Committee on the Bill until July. The right hon. Gentleman the present Secretary of State then appealed to him to defer the Bill until this Session, giving him at the same time an assurance that nothing would be done by the Ecclesiastical Commissioners to alter the position of this question. The Ecclesiastical Commissioners as a body had not done anything in the matter certainly; but one of the Commissioners, their representative in that House, now declared his intention to oppose this Bill altogether, and not allow it even to reach a second reading, being the stage it occupied last Session. It appeared to him (Mr. Ayrton) that such a course on the part of the Commissioner in that House was in violation of the spirit of the arrangement entered into last Session. As the second reading of this Bill was to be opposed, it was necessary for him to enter more fully into the subject than he should otherwise have desired. This was by no means a new proposition, and there could be no doubt that if it had not been for the spoliation of the property of the Church at the time of the Reformation, into which it was not necessary for them to enter, the Church would have been in the possession of funds sufficient not only for the spiritual consolation, but also for the Christian education of the large and growing population of the metropolis. Unfortunately, in the evil times to which he referred, the funds of the Church were confiscated, and were bestowed on Court favourites, and formed the bases and the foundation of great fortunes. After those worst of times, as regarded the spoliation of ecclesiastical property, every one would admit that it might have been discontinued; but he was sorry to say that ever since the Reformation the Church had suffered worse spoliation of a different character. In the last century an estate which belonged to St. Paul's Cathedral became, by the instrumentality of the Duke of Grafton, the foundation of the property of the Southampton family, and was now known as the Southampton estate. Another great property in Paddington, known as "the Bishop of London's Estate," was at a still more recent period taken from the Church and devoted to the private profit of the descendants of one of the former Bishops of London. These were not the only transactions, however, with regard to Church property that had occurred within the limits of the metropolis. The property with which his Bill proposed to deal was a large one on the north side of London, originally of a poor character, and still recollected as the region of Moorfields, though now known as the "Finsbury Estate." It was an endowment in connection with one of the stalls at St. Paul's, and the endowment was called "the Finsbury Prebend." The corporation of the City of London had obtained leases of the property from time to time; and, at last, became the lessees of a building lease, which eventually led to the estate being covered with houses mostly of a superior character. The corporation of London some years ago endeavoured to imitate the transactions of the Grafton family with reference to the Southampton property; but owing to a most fortunate interposition, which might be called providential, these intentions were frustrated. He had been informed that a day was fixed for the ratification of the transaction, which would have for ever deprived the Church of this valuable property; but the corporation officer, unfortunately for them, ate and drank so much overnight that he afterwards sickened and died of inanition, and thus the opportunity of the corporation of London being able to obtain this property passed away for ever. Instead, therefore, of the income from this estate going towards a fund for defraying the expenses of the eating and drinking of that distinguished body, the corporation of London, it was still available for the spiritual wants of the metropolis. Their lease of the property expired this year. The question, therefore, was what was to be done with this property, the income of which amounted to £48,000 a year, which would certainly increase in years to come. In consequence of the great amount of spiritual destitution which existed in the metropolis, a Committee of the House of Lords was appointed in 1858 to inquire into the subject, composed of the two Archbishops, several Bishops, and Peers. And if any Committee could speak with the weight of authority upon this question, that Committee was entitled to the distinction. The Committee, after taking a considerable amount of evidence, made a Report in which they set forth, in very clear and precise terms, the amount and extent of the spiritual destitution which prevailed in the metropolis. He would not, however, trouble the House with the details to which that Committee referred, because since then circumstances in connection with it had been somewhat modified; but if there had been an amelioration of the destitution then acknowledged to exist, there had been on the other hand a very large increase of population, carrying with it also a new condition of spiritual destitution. The Committee, after describing the deplorable state of the Church, its utter inefficiency to fulfil the duties expected of it, and the necessity there was of making some change, proceeded to make several suggestions. In looking to the sources from which they might anticipate aid towards the relief of the spiritual destitution of the metropolis, the first that presented itself was the vested and expectant interests the Ecclesiastical Commissioners had in certain large estates which formerly belonged to the Dean and Chapter of St. Paul's, some of which were of great value, particularly that of Finsbury, which was represented at £7,000 per annum, with the prospect of its being increased eight or nine times that amount when the lease expired in 1867. It could not be said that his proposal took the Ecclesiastical Commissioners by surprise, or that it was brought forward for the first time. The Committee advised an alteration in the law by which, as it now stands, the Ecclesiastical Commissioners are not authorized to give preference, in the spiritual assistance given by them, to places where revenue is received, except where such revenue arises from tithes. That Committee thought that the principle applied to tithes ought to be extended to other property; that the wants of any community ought to have the first claim on any funds raised amongst them; and that this principle more especially held good with respect to the metropolis. The Committee went on to say—

> "The whole metropolis constitutes one great community, which has given a high value to the houses and buildings now on such estates, and which also causes great spiritual destitution in the metropolitan parishes. Therefore, the existing law should be amended so as to direct the Ecclesiastical Commissioners to deal with the property in question on the principle proposed, so far as it could be done without interfering with the changes and obligations created by Parliament, or already incurred by the Ecclesiastical Commissioners."

It was proposed by those high in authority, with reference to the Report of 1858, that the powers of the Ecclesiastical Commissioners to deal with these funds should be limited to the engagements they had then made, and not to any future ones. Therefore, the Ecclesiastical Commissioners had full notice of what would be expected of Parliament in dealing with this subject. Since then the Ecclesiastical Commissioners had proceeded to deal with the funds at their disposal by increasing the endowments in parishes possessing a certain population, but they did not adopt any special rule to enable them to deal with particular cases, and the question, some time after the Report referred to, was brought under the consideration of the House. On that occasion the inhabitants of the diocese of Durham showed to the House what injustice sprung from the narrow views of the Ecclesiastical Commissioners, and a few years ago an amendment was made in the law, in accordance with the Lords' Report, so as to authorize the Commissioners to deal with funds such as those arising from the Finsbury Estate, in giving a preference to the place from which the revenue to be disposed of arose. A difficulty had, however, arisen in reference to the definition of the word "place;" and upon that difficulty the Commissioners did not seem to have arrived at any conclusion, except as regarded the diocese of Durham, where they made "place" applicable to a mining district in which the people who created the property resided, and there the population had been provided for in preference to the general claims of the country at large. That principle, he contended, was easy of general extension. The word "place" was unsuited to the metropolis unless it meant the metropolis itself. The Ecclesiastical Commissioners, instead of taking the views laid down by the Lords' Committee, had adopted an arbitrary and capricious solution of the difficulty, and they had therefore, three years ago, adopted the scheme by which they proceeded to endow all parishes or ecclesiastical districts having a certain amount of population (first 8,000, then 7,000, and again 6,000) out of their funds to the extent of £300 per annum. That was obviously a rule of the most rigid character which the Ecclesiastical Commissioners had laid down for the whole country, without regard to the special circumstances of the place. The consequence of that rule with regard to the metropolis had been to make the funds available for the benefit of the rich, and to deprive the poor of any participation in them; because what was easy for the rich to provide by way of endowment, in order to obtain a grant from the Ecclesiastical Commissioners, was entirely out of the power of the poor, and, consequently, they could not obtain the required assistance from the Ecclesiastical Commissioners, because they only gave in return for funds subscribed where the patronage was in the hands of private individuals. Suppose handsome houses were built upon the Grosvenor Estate. The rent of each might be £100 a year or upwards, and the inhabitants might claim the benefit of the fund, because the rule was laid down that if they themselves subscribed a certain amount a grant would be made by the Commission. On the other hand, if a church were required in a poor district the Commissioners would give no assistance, as they only made grants in return for subscriptions raised among the residents. That was the rule established in regard to ecclesiastical patronage in private hands. Money was given to benefit private patronage, and yet the patron might dispose of his property by auction immediately afterwards. He maintained that such a method was most unfortunate for the interests of the poorest classes. Then, again, the system did not deal with one of the great difficulties of the metropolis; because, though the Commissioners said they would raise the income of a clergyman where the population exceeded 5,000 or 6,000 or more, there were many parishes in London where the population was 11,000 or 12,000 or upwards, and unless such parishes could immediately find money to build two or three new churches and divided themselves into districts, none of the additional population would be entitled to the benefit of the fund. Therefore, all the large parishes in the metropolis were excluded from the benefits given to less necessitous parishes which came within the rigid rule propounded by the Ecclesiastical Commissioners. And what was the result of this? It was found in the endeavour of the Bishop of London to grapple with the residuum of spiritual destitution left in consequence of the arbitrary proceedings of the Ecclesiastical Commissioners. The Reports showed that there was a vast amount of spiritual destitution unprovided for, and the Bishop of London had invited the wealthier classes to make a large contribution with a view to its removal. In addition to the Bishop of London's Fund, there was another of a similar kind established on the other side of the Thames under the auspices of the Bishop of Winchester. But, however strenuously these appeals had been made to the generosity of the public, they had, in point of fact, failed, and he himself ventured to tell the Bishop of London before he embarked in his undertaking that it would prove a failure, because the public knew that there were large public funds already existing for the purpose, and that, consequently, every one who subscribed to the Bishop's fund would be keeping up these abuses in the Church. Unfortunately, his expectation had been fulfilled. The amount subscribed by the benevolent public was not sufficient even to deal with what he might call the subsidiary difficulties of the poorer classes in the metropolis. These attempts to provide for the spiritual destitution of the metropolis having failed, they were compelled to fall back upon the principle laid down by the Committee of the House of Lords for providing a real and substantial fund for the purpose of ministering to the spiritual wants of the poorer classes of the metropolis at large. He had adverted to the schemes of the Ecclesiastical Commissioners, and shown how illusory they were. The Ecclesiastical Commissioners would, however, have them to believe that they had done quite enough for the metropolis, and that they ought not to be asked to do more. Last Session, for instance, remarks had been made tending to impress that House with the notion that the Commissioners had expended an enormous sum on the metropolis, and that this demand was unnecessary. Now, the Commissioners had not expended in capital any very large sum for the building of churches, for it only amounted to £59,000 of capital; and that included several parishes not in the metropolis, so that it would perhaps be more accurate to fix the sum at £55,000. Their accounts showed that they had up to the middle of last year granted endowments to churches, &c., to the amount of £25,865. But they had received from the property in the metropolis—property created entirely by the growth of the metropolis—no less than £48,889 a year, so that, in effect, they had granted for some parts of the metropolis about half the sum which they had received. But the mode in which their grants had been made did not deal with the real and the growing evil. The proceedings of the Commissioners had been brought under the consideration of that House some time ago by the Report of a Select Committee, and he did not think that on that occasion they made out a very good case why they should enjoy the confidence of the House. In the Report of the Committee of that House in 1863 it was declared that the Ecclesiastical Commission, as at present constituted, was objectionable, and that it did not appear to have any established system for ascertaining the localities where spiritual destitution was most prevalent, nor any sufficient rules for determining the priority to be observed in affording relief to such districts. But now this Commission, the conduct of which had been condemned by both Houses of Parliament, and had neglected entirely that which it was its first duty to perform, came forward to prevent the further consideration of this Bill. He trusted, however, that the House would not indulge the wishes of the Ecclesiastical Commissioners in this respect. If the House wanted to know what faithful stewards they were of the public money, he would read a statement sent to him by a gentleman who was formerly a Member of the House of Commons (Mr. Alderman Copeland). This statement gave the result of the labours of the Commissioners for the benefit of the poor people of this country. It appeared, then, that in the year ending the 1st of November, 1865, they had expended on Ecclesiastical Commissioners themselves, and on clerks, secretaries, and other officers, attorneys, surveyors, architects, and agents of every kind, £71,418; while they had expended for the relief of spiritual destitution the sum of £219,000. Now, why should not a part of the first named sum—about one-third of the whole—which they squandered among themselves, be a fund reserved to meet the most necessitous cases among the large and, to a great extent, destitute population of the metropolis? In order to escape, if possible, from the slightest interference on the part of the House of Commons the Commissioners had adopted a most remarkable course of procedure. Four years ago they drew up a Report, in which they said they thought they should do so and so in the next four years, but at the expiration of that period they spoke of their previously expressed intentions as arrangements or engagements they had made. In that way they endeavoured to prevent Parliament from taking into consideration any Bill like the present. He would, however, refer to what the House of Lords said ought to be done in 1866, and to the Report of the Committee of the House of Commons which sat three or four years ago. The present measure rested upon the simple principle that the whole value of this property had been created by the aggregation of the metropolitan population, and, though it was no doubt true that the houses built on this spot were houses in which poor people did not reside, yet the inhabitants of them were merchants who carried on business in London, and who dealt with the population generally, bringing about them retail traders and skilled working people, who in turn brought about them the poorer and more dependent classes. Therefore, the value which had been created was, in point of fact, the value of the people, who now asked to have it applied somewhat for their benefit. They did not ask for all, but merely wished that one-half should be appropriated as a special fund for the poorer districts. That, instead of being an extravagant demand, was, in his opinion, a reasonable compromise. What he asked was that the House should affirm that the arbitrary principle of the Ecclesiastical Commissioners, disregarding the special demands of the poorer classes, should no longer be acted upon as regards the poorer classes of the metropolis ; but that special provision should be made in order to meet their spiritual destitution. He moved that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Ayrton.*)

MR. HOWES said, the hon. and learned Member for the Tower Hamlets had brought, as it appeared to him, a charge of want of good faith against the Ecclesiastical Commissioners, to which body he had the honour to belong. He must, in the first place, disclaim the idea that he was there to represent a body like the Ecclesiastical Commission. He merely spoke as a member and not as the representative of that body. In its interest, but still more in the interest of the public at large, he opposed the Bill. He was not answerable for what the Secretary of State said last year in reference to it, but he understood that it passed under some misapprehension. He was not prepared on the present occasion for a general attack on the rules, regulations, and system of the Ecclesiastical Commissioners, but he must protest against the extreme and remarkable misrepresentations of the hon. Member for the Tower Hamlets respecting several of those rules. The hon. Gentleman had stated that the Commissioners gave, without discrimination, benefactions to private patrons of benefices, whereas it was well known that benefactions were only given to benefices in private patronage, where there was a large population which implied the spiritual destitution which it was the object of the Commission to relieve. Then, the hon. Gentleman alleged that parishes with a very large population did not receive any contribution for the surplus population ; but it was well known that under the Act brought in by Sir Robert Peel any district might be separated from a populous parish before the church was built. As to what had been said about the Committee of the House of Lords in 1858, he would admit that for many years after the establishment of the common fund the Ecclesiastical Commission, not having the funds at its disposal which had since accumulated, was not able to distribute largely throughout the country. But after the Report of the Committee was issued it was found that a more extended system of distribution might be commenced, and the operations of the Commission on a large scale really commenced in the beginning of the year 1864. It was proposed that in five years, from 1864 to the end of 1868, such a sum should be distributed as would raise all livings in public patronage with a population of 4,000 or upwards to the moderate income of £300 a year ; and all livings in private patronage with the same population were to be raised to the same amount, provided one-half of the required funds were raised from other sources. Again, £100,000 a year was proposed to be distributed to meet benefactions which arose from various private sources, and such districts as the hon. Gentleman had referred to were to be endowed up to £200 a year. That scheme had been received by the country generally with great satisfaction, and no doubt it had relieved a vast amount of spiritual destitution. The object of the Bill was to abstract from the common fund a far larger amount than had been stated by the hon. Gentleman. He believed the whole Finsbury Estate produced about £60,000 a year, and the hon. Gentleman proposed to deprive the common fund of £30,000 a year, or what would amount to nearly £1,000,000. The scheme of 1864 had been repeated in separate Reports since, and had been accepted by the House as an obligation which the Ecclesiastical Commissioners had incurred, and he maintained that that obligation was a pledge upon their revenues. The whole scheme was founded on a calculation of the revenues of the Commission, of which the Finsbury Estate was a most important part. To abstract this would disable the Commission from fulfilling their pledge. But upon what ground did the hon. Member for the Tower Hamlets rest his claim for the metropolitan districts ? He would ask, whether the claims of the metropolis had been disregarded, or the rules of the

Commission violated? If the Commissioners had neglected their duty, it was for the Government to exert its power and control over that body, and redress the grievance, instead of leaving the matter to the chance efforts of a private Member. But supposing he was wrong in his interpretation of the duty of the Government, how did the facts stand? He would refer to the words of the right rev. Prelate the Bishop of London, who was a member of the Ecclesiastical Commission, and not one of the least zealous members of that body, while he certainly was not inactive in putting forward the claims of his diocese to the public at large. In his charge, delivered in December last, the right rev. Prelate stated that in the four preceding years the sum of £530,000 had been appropriated from the funds of the Ecclesiastical Commission for the relief of spiritual destitution in his diocese, which, it must be borne in mind, did not include all the metropolitan districts, for a large sum was also distributed in Southwark. This was nearly one-sixth of the sum total distributed by the Ecclesiastical Commissioners during the period referred to, and the population of the metropolitan districts being 3,000,000, was about one-sixth of the whole population. The metropolis had therefore received its full share of the total fund distributed by the Ecclesiastical Commissioners. The hon. Gentleman, however, proposed to abstract from the common fund £1,000,000, the effect of which would be to disable the Ecclesiastical Commission from carrying out the system of rules established in 1864, and sanctioned by the House. He moved that the Bill be read a second tine that day six months.

Mr. LEEMAN said, that the locality with which he was connected had not at present derived any special benefit from the Ecclesiastical Commission; but he could not help thinking that they would have still greater reason to complain if the Commissioners had not resisted a measure so unjust as that which had been proposed by the hon. Member for the Tower Hamlets. The Bill was unjust to those other portions of the country from which came the emoluments which now formed the common fund of the Ecclesiastical Commission. He could see no difference between the prebend represented by the hon. Gentleman and other prebends in other parts of the country whose incomes had been absorbed in the common fund. In the cathedral church of York, for example, a large number of prebends had been absorbed, and in what particular did they differ from the prebend of Finsbury? He regretted the interpretation put by the Commissioners upon the word "place." Its not being construed to include "parish" had had the effect of excluding the poorer parishes in the city of York from participation in the funds of the Commission. In that city there was at the present moment no fewer than ten livings, the emoluments arising from which did not amount to more than £100 per annum each. [Mr. AYRTON: And what is the population?] He could not exactly say, but those parishes were in the poorest portions of the city, which had a population of nearly 50,000. Now, while they had but little reason to be grateful to the Commissioners in regard to the past, still they had been relying on the establishment of the common fund, and believed that the Commissioners were honestly endeavouring to distribute it. In due course, no doubt, they would receive their share along with the rest of the country. If this Bill were carried, what was there to prevent his asking the House to deal with the city of York on account of special circumstances, and to exempt it from the rule adopted by the Commissioners? As to the propriety of that rule he could not understand what other principle could have been adopted by the Commissioners, if their object was to augment livings in destitute parts of the country. The portions of the country which had contributed the least to the common fund were just the places which required the most augmentation. The diocese of Ripon, for instance, was carved out of the old diocese of York, and therefore contributed nothing to this common fund. The diocese of Ripon comprised the greater part of the West Riding, including Leeds, Bradford, Halifax, Huddersfield, indeed most of its large manufacturing towns, and for the relief of its spiritual destitution it had received out of the common fund £750,000. If this measure were adopted, and its principle acted on, whence would the Commissioners obtain funds to distribute? For twenty years the diocese of York had received at the rate of £16,000 a year, the aggregate being no more than London was stated to have received in four years. In the adjoining diocese of Durham there were large emoluments, the surplus of which received by the Commissioners had been by them honestly applied to meet local claims; but other parts of Durham were unprovided for, although the surplus revenues would have been ample for the purpose if they had not become absorbed in the common fund. But what were the Commissioners to do as to other places requiring grants if the money they had hitherto received were diverted from them? The Commissioners had looked at the wants of the clergy as a whole and had endeavoured to appropriate their funds fairly. Believing that the adoption of the principle of the Bill would have the effect of obstructing the Commissioners in the beneficial course they had been pursuing, he seconded the Amendment that the Bill be read a second time that day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Howes.*)

MR. BERESFORD HOPE said, it seemed to him that the Mover and Seconder of the Amendment had justified the course which they had taken on very different grounds. The hon. Member for Norfolk (Mr. Howes) said the Ecclesiastical Commissioners had acted well, and ought not to be interfered with; the hon. Member for York (Mr. Leeman) said they had behaved very ill to the city he represented; and so he was willing that they should be whipped across the back of London, not much minding whether some of the blows fell on that place. But the Commissioners were not on their trial, and he did not understand the hon. Member for the Tower Hamlets to say that they were. The question before them was a matter of principle, raised by a grave and exceptional case. No doubt the Commissioners had proceeded, since their first institution, on a general rough-and-ready course of equalization; but things were so anomalous thirty-five years ago, that a rough-and-ready system of remedy was indispensable. So they went on doing a great deal of good by an infinite series of small injustices. But these injustices at length became so flagrant, that there was a cry raised in the different localities that their claims for first consideration were of such paramount character that they ought not to be disregarded as they had been theretofore, and hence had come that alteration of system which his hon. Friend appealed to. For the last few years the system of the Commissioners had been to consider local claims as they had not been previously considered. Now, just at the crisis of this change of system came into the field that enormous windfall, the Finsbury Ecclesiastical Estate, which had been for years upon years a bye-word of reproach among those who wished ill to the Church, and of regret to those who wished to see her money distributed to the best advantage. The property had long been looked upon as money that might be utilized for the spiritual wants of the metropolis when it fell in. It had fallen in; and, individually, both as a member of the Bishop of London's Fund, and as a resident in the capital feeling a warm interest in the spiritual welfare of London, he felt bound to move. This windfall, according to the hon. Mover's authority, was £48,000 a year; according to that of his hon. Friend the Member for Norfolk, of £60,000. If so, it stood to reason that the half which would be left to the Commission would be proportionately increased. The hon. Member for Norfolk said an attempt had been made to wrest this estate from the Ecclesiastical Commissioners, and convert it into a fund for the benefit of the City of London. He was astonished to hear that an ecclesiastical estate, an ancient prebend of the Cathedral of St. Paul, London, could be said to be diverted from its proper purposes because it was to be devoted to the spiritual destitution of the City itself. Here was this Finsbury property which had been from time immemorial property granted to the Church. For what? For the performance of the spiritual duties of one clergyman in the Cathedral of St. Paul. Well, in the flux of time the property had become so enormously enhanced in value that it could support scores of clergymen instead of the one original prebendary. And what, under the circumstances, was asked? Not that the Finsbury property should be devoted to London; but that one-half should be devoted to it, and the other half go to the common fund which had done so much good all over England. The hon. Member for Norfolk took exception to the statement that the property was worth £40,000 a year, and said the amount was nearer £60,000. If this were true, so much the better for the cause he advocated; for in that case it would be £30 which would go to all England. The residue would be reserved for London; but in so doing it would *pro tanti* free the common fund which would, in proportion, be exonerated from having to help London. It had been asked, why not be satisfied with money out of the common fund? Why insist on marking the money "Finsbury money?" Well, there was a feeling, he thought a healthy feeling—certainly a strong one—common to all mankind, which liked to be able to identify one's property, as applied for one's own use. It was this feeling that made London like to know she was using her own money to meet her own religious wants, rather than be dependent on an impassive Lady Bountiful in the shape of a general Commission. The Bill asked for only £24,000 a year. The whole money was raised in Finsbury, and it was proposed to spend a portion of it in London. A more reasonable proposition he could hardly imagine. At the same time, he desired not to pledge himself to the details of the measure as it stood. It was somewhat rough-hewn and restrictive in its provisions. Still, it had got hold of the right view in its main principle. The Church of England felt that men were necessary as well as churches, and what was wanted in the Church was an amount of elasticity she did not at present possess. The Church of England was moulded into her present shape ages ago when towns were few, and not populous, and so she became too exclusively parochial. He was glad that a wider and broader view had at length been taken, and that the necessity of men working in towns out of the mere parochical system, but if it might be in concert, had been recognised. So far from carping at and opposing this measure, he thought the Ecclesiastical Commissioners would only do justice to their office, and gain credit and confidence for themselves, by coming forward openhanded and welcoming heartily a scheme which would enable them to confer a boon on London which, God knew, was in want of the most earnest and self-denying exertions of those who loved God and wished to bring the population, particularly those at the East End, to a sense of virtue, wholesome learning, and the knowledge of their duty to God and to men.

Mr. POWELL said, he felt an earnest desire that the benefit of the common fund should not be diminished, but that the country at large should continue to derive advantage from it. It was with some astonishment that he heard the hon. and learned Member (Mr. Ayrton) remark that the wealthy districts had been favoured to the exclusion of the poor districts. In the course of the last Session he moved for Returns showing the conduct of the Ecclesiastical Commissioners with reference to the augmentation of benefices and the creation of new parishes in the metropolis. It appeared that Bethnal Green received augmentations with regard to ten churches; Lambeth, seven; Southwark, four, and Charterhouse several. He was confident that those who would carefully peruse the list would arrive at the conclusion that ecclesiastical poverty had been greatly relieved by the Ecclesiastical Commissioners. A remark had been made that the effect of the augmentation grants had been to increase the saleable value of the private patronage of livings. Such increase must necessarily be of a most trifling character. He would, nevertheless, meet the objection, slight as it was, by passing a short Act, somewhat analogous to that relating to the Lord Chancellor's livings, preventing any sale for a period of twenty years. This would be just, would inflict no hardship, and would entirely remove objection. The Ecclesiastical Commissioners in 1864 made an elaborate reply to charges brought against them. He would not read its numerous details; but he would make one observation in reference to a financial statement of Mr. Alderman Copeland, and that was that the worthy Alderman had drawn up a balance-sheet, in which he had placed on one side a host of entirely exceptional charges; while on the other side there was only the ordinary annual receipt. With reference to a remark of the hon. Member for Stoke (Mr. Beresford Hope), he would remark that the Finsbury Estate was no more to London than other estates were to the localities whence the funds proceeded. If London was populous it was also wealthy. Its ecclesiastical wealth was exceptionally large, and the sale of the City churches was producing a sum of money which he hoped would not be consumed by a wasteful expenditure. If London had her 3,000,000 of inhabitants, the rest of the country had 17,000,000. Liverpool had her 500,000; Leeds, Bradford, Birmingham, Manchester had large populations, but no large amounts of ecclesiastical property; and if his hon. Friend wished to abate crime and pauperism in London, he (Mr. Powell) said crime and pauperism were not confined to London, and he wished to abate crime and pauperism all over the country. If it were permitted to any Member to speak of his personal experience, he could say that he had witnessed the happiest results arising from the expenditure of the common fund in the West Riding of Yorkshire. He had known many clergymen, whose livings would not amount in value to the incomes of domestic servants, become possessed, by the operations of the Commissioners, of an income of £300 and a parsonage. Since the adoption of the scheme of 1864, £3,500,000 would have been appropriated in three distinct classes of cases up to the end of 1868. Of this, £2,000,000 would have been applied in increasing endowments in populous places; £1,000,000 in satisfying local claims; and £500,000 in meeting sums contributed as private benefactions. During five years nearly 1,000 livings would have been raised unconditionally to £300 a year, and 800 more would have been augmented by the meeting of private benefactions, which had amounted to £1,300,000 or £1,400,000. The money proposed to be given in the case of Durham was to meet efforts made by Durham, and therefore did not form a precedent for this Bill. The proposal of the hon. Member did not contemplate the cases of benefactions, and would arrest their flow into the coffers of the Commissioners, thus depriving the Church of great benefits already curtailed by the want of funds to meet private munificence. The details of the Bill were open to objection, especially in that they would place curates and incumbents in the power of the Bishop, and so deprive them of the independence they had hitherto enjoyed, to the advantage of themselves and of the Church.

MR. LOCKE said, that he had learnt for the first time that the Ecclesiastical Commissioners had done as much for Southwark as the hon. Gentleman opposite (Mr. Powell) had intimated. The Bishop of Winchester, who was the Bishop of the diocese, appeared to be equally in ignorance on the point, for his Lordship had found it necessary to start a Church Extension Fund for the purpose of alleviating the spiritual destitution in the Borough. Among the many illustrations that had been given of the necessity for this movement he might instance the case of St. Mary Magdalen, Bermondsey, with a population of 23,000, which had one church, with a rector and two curates, and school accommodation for 720 children; St. James's, with a population of 19,400, one church, one incumbent, no curate, and school accommodation for 550 children; St. George's, Southwark, population 26,300, one church, with a rector and four curates; St. Mark's, Kennington, population 21,000, one church, an incumbent and two curates. He was not aware that anything had been done by the Ecclesiastical Commissioners to meet these cases; indeed, the course they adopted was obviously a fallacious one, since aid was only given to those who were in a position to help themselves. The case of the Church of St. Stephen's, Kent Street, in the borough of Southwark, was notorious, and had been immortalized by Mr. Dickens as an instance of the assistance poor parishes received from the Commissioners. The whole population of this parish was merged in poverty. Application for aid had been made over and over again to the Ecclesiastical Commissioners; but the answer invariably was—"You are so extremely poor that we can do nothing for you. You have really nobody to help you; you have no chance of being able to get up a fund to build a church; therefore, the funds at our command cannot be appropriated to you, because you are in greater want of them than anybody else." Who, he asked, had risen in that House to defend the Ecclesiastical Commissioners? His hon. Friend (Mr. Howes) said that he was himself an Ecclesiastical Commissioner, but that he came there without any authority to speak in the name of the body to which he belonged, though, speaking unauthoritatively, he repudiated whatever compact was, or was supposed to have been, entered into by the Commissioners last year. But who had said a word in favour of the body? His hon. Friend the Member for Stoke (Mr. Beresford Hope) had, indeed, appeared to some extent as their advocate; but the best thing he could discover to say in their behalf was that they had collected their funds by the commission of a complete series of "small injustices" throughout the country. Not a very pleasing view of spiritual things. They now proposed to make a variation in the monotony of their usual course, by committing a great injustice. They wanted to put into their pockets £60,000 a year, without binding themselves in any way as to how they were to deal with it. They were to have this enormous addition to their resources without any guarantee that a single shilling of it would be spent in relieving the spiritual distress of the metropolis, although at this very moment the Bishops of London and Winchester were each actively engaged in raising a fund to meet the appalling religious destitution that prevailed in London. On the last occasion when this Bill was before them they were told to wait; that the fund had not yet fallen in; that they were too soon. The right hon. Gentleman who was then Secretary of State for the Home Department (Sir George Grey) said, "Wait till next year. Read your Bill now a second time. The principle of it shall be admitted next year. The fund shall be disposed of for the benefit of the spiritual destitution of London." The time was now come, and they were met by an unauthorized member of the Ecclesiastical Commission who, while professing not to oppose the Bill on behalf of that body, did really oppose it, and spoke of what the Commissioners had done and not done elsewhere with money taken from other places. But was it not obvious to the plainest capacity that the argument that the money should be devoted to the spiritual necessities of the locality contributing the revenue applied most strongly of all to the case of London? The interests of all parts of London were inextricably interwoven with each other; the poverty of one district was created by the wealth of another district. Therefore, on the principles acknowledged and acted on throughout the country, £30,000 a year at least out of this annual income of £60,000 a year ought to be appropriated to relieve the spiritual wants of the metropolis. The hon. Member for York (Mr. Leeman) had argued that because the Ecclesiastical Commissioners had spent none of their resources in that ecclesiastical city (from which large sums had been derived), therefore no special claim could be sustained, on the part of the metropolis, to enjoy the benefit of any portion of this £60,000 a year. What analogy was there between the two instances? The reason why nothing was given to York was simply this—that York wanted nothing. It had its cathedral, with heaven only knew how many prebends, who perhaps might be supposed, without any very violent presumption, to do something, and not be mere shams, as a distinguished clergyman had once called them. Of course, there were many estimable and active men holding those positions. But it was said there were in York ten clergymen receiving only £100 a year, and yet nothing had been given to it. But the hon. Member did not state how many clergymen there were in York, besides these ten, who received ample stipends. Considering the population of that place—40,535—

how could it be urged that there was spiritual destitution there. The city was full of clergymen; you could not walk in the streets without stumbling on them; yet it was to be gravely argued that the Ecclesiastical Commissioners ought to have made grants to that city. Because the city of York was not allowed to have all the money derived from the cathedral of York, it was contended that the cases were analogous; and London, with its vast spiritual destitution, ought not to have any portion of this large ecclesiastical revenue. Four or five years ago the Commissioners dreamt a dream—were they to be allowed to realize their expensive visions at the cost of other people? The question really before the House was this—was there spiritual destitution in the metropolis? Were not the public being called upon to pay contributions towards this object? Had not the funds hitherto been found insufficient, and would it not be a robbery of the poor of London if this large sum of money were now to be taken away and distributed over the country at large?

Mr. GOLDNEY said, that at a time when the public were being pressed by two Bishops to contribute money towards the relief of the spiritual distress of London they would naturally ask why this large sum of £60,000 a year, which would go far to meet the existing want, and which proceeded from local sources, should be withdrawn from its natural and proper object to be dissipated in isolated grants throughout the country. The supporters of the Bill had shown the utmost moderation and fairness in their proposals. They did not ask that any permanent increase in the livings of the metropolis should be made out of this fund; but only that it should go to the support of curates who would actually do the work that was required in districts in London where there was great spiritual distress. The fund would not even be withdrawn from the control of the Ecclesiastical Commissioners; but they would merely be required to appropriate a certain portion of it, under the supervision of the Bishop, for the benefit of the metropolis. He trusted that any rate the Bill would be allowed to go to a second reading.

Mr. Alderman LUSK said, that the Finsbury Estate had been held by the corporation about 500 years; but by some means it had fallen, or was about to fall, out of their hands. His constituents were of opinion that as they built the houses and contributed the money which was now in question, a considerable portion of it ought to be spent at home. The Ecclesiastical Commissioners were a body created by Parliament, and were subject to the control of Parliament, and he hoped the House would direct them to expend the portion of the fund referred to in the Bill in the manner therein prescribed.

MR. BENTINCK said, he thought that in dispensing capitular revenues the particular localities in which those revenues arose should have some consideration. He knew that this interference with the common fund was unpalatable to the Commissioners, who always insisted that the particular district must rely upon their generosity in administering the common fund. But in the Act of 1860, Parliament had evidently intended that the word "place" should be used in a broad sense, and had favoured the doctrine that consideration should be shown to localities whence the funds were drawn. The speech of the hon. Member for York (Mr. Leeman) really told for this Bill, because if York could show a local claim the principle of the Bill would apply there also. Of all the English counties none had suffered more from the action of the Ecclesiastical Commission than that in the midst of which his constituency were placed—namely, Cumberland. The local claims had often been represented to the Commissioners, but without effect; and it was on account of its regard for local claims that he supported the Bill. In London, St. Paul's Cathedral was an instance of the neglect of the Commissioners to fulfil their manifest duty. From a Return which he had obtained in 1865, showing the receipts and expenditure of the cathedrals and collegiate churches, it appeared that out of seventeen clergy attached to St. Paul's twelve received only a pittance of from £40 to £50 a year exclusive of fees. They were, therefore, driven to depend for their stipends upon these fees which were taken for showing the Cathedral—a system which was a scandal and disgrace to the Church of England. An end had been put to the twopences which used to be charged for admission; but a great part of the clergy and the vicars-choral divided the fees received from visitors for viewing the cupola and the funeral car of the late Duke of Wellington, and the Ecclesiastical Commissioners should apply a portion of the surplus Cathedral funds in doing away with these church exhibitions. The principle of the Bill before the House ought to commend itself to every one on that side of the House; because it acted upon the principle that all the property which was for the benefit of the Church ought to be applied, as far as possible, in accordance with the intentions of the founders, and to carry into effect such of the trusts by them created as would prove of public benefit at the present time. He should therefore support the second reading.

MR. CRAWFORD said, he wished to call attention to an article which appeared in the *Pall Mall Gazette* of yesterday, from the pen of the Rev. Isaac Rogers, respecting the state of the parish of St. Matthias, Bethnal Green. He had never read a more painful description than the account of the spiritual destitution prevailing in the district from which this income pertaining to the Finsbury property arose. It was not proposed to take away funds which had come into the hands of the Ecclesiastical Commissioners, but simply to deal with a portion of the revenue which they might otherwise claim. It was a monstrous thing that the Church revenue should be carried away from that district to other places, at a time when there was such an awful amount of spiritual destitution which required relief.

MR. HENDERSON said, he hoped the House would not sanction the exceptional appropriation of funds to local purposes which the Bill contemplated, the principle of such appropriation never having been acknowledged. If any district or diocese had a prior claim to such an appropriation from the common fund of the Ecclesiastical Commissioners, it was the diocese of Durham, which contributed fully one-fifth of the total revenue of the Ecclesiastical Commissioners, that large sum being mainly raised from the mineral and coal mining districts. If any appropriation were made, surely the mining districts of Durham would be entitled to some consideration; and with the view of obtaining such a provision a deputation waited upon Lord Palmerston, in 1860, to endeavour to have a certain sum appropriated from the money paid from Durham to the spiritual wants of that district. All, however, that they could get was an acknowledgment that the wants of their district should have more consideration than they had hitherto had. He thought the House would not sanction the exceptional legislation with regard to Finsbury which had been denied to Durham. The appeals of the Bishops of London and Winchester were cited; but Durham likewise was making efforts to raise a fund of £40,000 to meet local spiritual wants. It would not be an act of justice to the country at large to distribute the fund as proposed, while the country contributed so largely to the Ecclesiastical Fund, and he hoped the House would reject the Bill.

Mr. BRUCE said, he must admit that the spiritual destitution of the metropolis could not be overstated, or the strong necessity of measures for supplying not only the religious but the sanitary and the educational wants of the London poor. That question was not one of interest merely, but of danger, for it was impossible that these masses of population, increasing from year to year, should continue in their present moral and social condition without danger to the State. But, then, the House must in fairness consider also the condition of the people in Yorkshire and Staffordshire, not forgetting the poor Welshman. Once make this inroad upon the principle hitherto adopted in dealing with these funds, and they could not stop there, for they would soon find equally strong claims urged from other places. It was for Parliament to consider whether the principle on which the Commissioners had hitherto distributed the funds was a wise principle; if it was, Parliament ought to maintain it; if it was not, they should deal with the question by some general measure. It would be impossible to pass the Bill without making an inroad on that principle. Up to this time the revenue from the metropolitan district was about one-fifth of the whole receipts of the Commission. Deducting a portion which was derived from the country, it might be broadly stated that the Commissioners had one-sixth of their revenue from the metropolis, and that exactly represented the amount spent by them upon the metropolis. During the last three years the exact amount capitalized, spent upon different parts of England, was £2,400,000; and during that time the amount spent in London alone was £400,000, or one-sixth. London, therefore, had not been less favoured in proportion to its population than other parts of the country. Then, again, the Finsbury Estate had been vested in the Commissioners for ten years, and during that time every farthing of the income, which varied from £7,000 to £9,000 a year, had been spent in endowing districts subsidiary to St. Leonard's and St. Luke's, and supporting clergy there. But next year this £9,000 would be increased by the large sum of £60,000, and the hon. Member for Tower Hamlets proposed to apply £30,000 of that by this Bill to that district, in addition, he supposed—for there was no provision to the contrary—to what the district might derive from the fund in its ordinary course. In his own parish, which had increased during twenty years from a population of 4,000 to a population of nearly 40,000, there was a perpetual curacy with a fixed income of something under £200 a year, and it was clear that it must be from some other fund that the spiritual destitution of the district should be provided for. He doubted exceedingly the propriety of interfering with measures which had acted with so much advantage to the Church and the country during the last few years. It had been the object of the Ecclesiastical Commissioners to increase the value of the livings where there was a large population. Last year they dealt with cases of districts containing 5,000 people, raising the value of such of those livings as were under public patronage to £300 a year. This year the Commission proposed to deal with all cases where the population numbered 4,500; next year they proposed to deal with livings where the population was 4,000; and if they were allowed to distribute the funds at their disposal to the best of their judgment for the benefit of the whole country, they would by-and-by give the same advantages to livings where the population was smaller. The fact was, it was impossible to consider this subject with reference to London alone. In considering the question, they should take the case of the manufacturing districts, of Manchester for instance, the centre of a population of nearly 1,000,000, but where the ecclesiastical revenue expended was smaller than almost in any part of the kingdom. One argument had been used in support of the Bill which must have made a great impression on the House. It was said, in the case of private patronage, that the assistance of the Commissioners was given only when it was met by benefactions on the part of the patrons; and, therefore, if from peculiar circumstances of patronage and property in London no such benefactions were forthcoming, no funds could be got from the Commissioners. What he would suggest, in order to meet that difficulty, was this. At present the Commissioners had power to make grants towards the support of curates in the mining districts. He did not recollect at that moment why the exception had been made in the case of those districts, but it had been made, and he would suggest to extend the precedent so that the same principle might be applied to other populous places. He asked the hon. and learned Gentleman to suspend the second reading of the Bill for some time, and communicate with the Secretary of the Home Department (Mr. Walpole), who would not, he believed, from what he knew of the right hon. Gentleman, object to enter into negotiations with him on the subject.

MR. HENLEY said, it was impossible to approach this subject, which was full of difficulty, look at it in whatever way they would, without expressing a strong feeling with regard to the vast amount of spiritual destitution which existed not only in the metropolis, but, unfortunately, in many other parts of the country. But the question the House had to consider was whether, in dealing with a fund which, however large, was very limited, considering the great amount of destitution with which it had to deal, they were to yield to appeals made upon special grounds in favour of certain localities, or to support a system of distribution which should be just to the whole suffering community? He could not help feeling that the principle of the Bill of the hon. and learned Gentleman would be fatal to any general and just distribution; because if the measure once passed district after district would make special applications, and the floor of that House would become the battle-field of claims each of which, standing alone, would excite sympathy and deserve relief. Now, throughout the debate he had not heard it asserted that London had not received its fair share. Figures to the contrary had been given. But the fact appeared to be that, because a large sum was about to come into the hands of the Commissioners, a great rush was made to get relief from it. The hon. Member for the City had said it was not proposed to take anything from the Commissioners, but only to prevent something coming into their hands. Now that might be true in terms, but the argument was not a good one. For what had happened? The Commissioners a few years ago, knowing the valuable reversionary interests which were about to come in, drew up a scheme in which they pledged themselves to deal with all places through the length and breadth of the land that came within certain conditions which they laid down. But if by the present Bill the House took from them a sum which, according to the hon. Member for Norfolk (Mr. Howes) was equivalent to £1,000,000, how were the Commissioners to carry out their scheme? There might be certain cases that the Commissioners should be enabled to deal with specially; but he could not support the second reading of this Bill, because if once the principle were admitted they could not stop short. It would, as the hon. Member for Whitehaven had shown, have the widest possible application, and would break down the common fund, which was now conferring benefits which were being felt by the whole country.

MR. HADFIELD said, this question was a most interesting one. The Church had £6,000,000 a year and upwards, and yet they heard of spiritual destitution of the most awful kind in all parts of the country. In speaking of destitution, it seemed that Nonconformists were included in the lists of the destitute. Why, the Nonconformists in England had 25,000 places of worship, but that was not recognised. The House never heard of the Nonconformists having any disputes about their internal affairs. The right hon. Member for Merthyr Tydvil (Mr. Bruce) had referred to Wales; but would he tell the House that Wales was destitute of religious instruction. The Nonconformists there had spent £2,000,000 in the erection of places of worship, and had but one endowment of £25 a year. The fact was that three-fourths or seven-eighths of the Welsh were Nonconformists. But care was taken that the spiritual destitution of any district in Wales was properly looked after; and the same course ought to be followed by the Church of England, without appealing for extraneous aid. With regard to Scotland, twenty-three years ago there was a secession. The religious feeling of the country was outraged by an attempt at dictation. The Free Church was established, and that Free Church had raised since then £7,000,000 for its support. Its clergy were better paid than those of the Established Church in that country. What was the case with respect to Ireland? Was it not enough to rouse the feelings of any man that in Ireland there should be maintained, united with the Church of England, a State Church which had only one-eighth of the population adhering to it? What was the cause that the House never heard anything about the other denominations, but it was all about the Church of England? The reason was because all their confidence was in endowments, and they paid no attention to what was done by voluntary effort.

MR. MOWBRAY said, that the discursive character of the discussion was completed by the remarks of the hon. Member for Sheffield. By one Gentleman they had been invited to ascend the Whispering Gallery of St. Paul's; others had taken them from Cumberland to Wales; and to complete the round, the hon. Member (Mr. Hadfield) had given them a history of the Free Church in Scotland and the state of religious parties in Ireland. But none of them had anything whatsoever to do with the Bill. His first objection to the Bill was that, though discussed as if it were an Imperial question, it was in its scope, its object, and its title, a private and local Bill. If they were about to touch the common fund for the relief of spiritual destitution in the metropolis, let it be done by a general Act and not by a Private Bill —a mere Estate Bill. Allusion had been made to the Act of 1860, which recognised local claims and made special provision for the mining districts. But what did Parliament do on that occasion? It extended to property of all descriptions the provisions applicable to local claims, which had previously attached only to tithes. It also enabled the Commissioners to make grants to meet benefactions for the purpose of making temporary provision for the care of souls in mining districts. But this mining clause was not, as had been alleged, a Durham clause—it affected the whole country. It was equally applicable to Staffordshire and to Wales, to Cumberland and to Cornwall. But this Bill related to only one property in the whole metropolis. The right hon. Gentlemen the Members for Merthyr Tydvil (Mr. Bruce) and Oxfordshire (Mr. Henley) had put forcibly before the House the great importance of not infringing on the common fund. What would become of the common fund if Session after Session Parliament was asked to give its sanction to a scheme like this? His right hon. Friend the Member for Oxfordshire had shown that the income that was about to accrue had been anticipated. The fact was the Commission had been looking forward to receiving these sums. Owing to the vicious system of management of Church property before 1840 it was a long time before the Commissioners were able to realize the property they had in their hands, and by the advice of the late Sir Robert Peel they contracted a large debt of £600,000 to the Queen Anne's Bounty Fund. The Commission ought to be judged, not by what it had done in the earlier part of its career, but what it had been enabled to do in the last two years. In 1864 a very comprehensive plan was laid down by the Commissioners, based upon the supposition that Parliament would allow the estates which were expected to come into their hands year after year to do so. It was proposed to secure for every clergyman who had charge of a population of 5,000 an income of £300 a year, and, in the course of a few years, to carry the same principle downwards, so as to make it applicable to parishes with a population of 4,500 and 4,000. But how could that be done if the money on which they relied was intercepted and prevented from coming into their hands? The hon. Member for Southwark (Mr. Locke) had talked as if the Commissioners could do what they liked with the money. But they were tied down to apply it to the relief of destitution in populous places, and what populous place had so good a claim as the metropolis? He had not heard any hon. Gentleman allege that the Commissioners had not given the metropolis a fair share. Two parishes in Bermondsey had received from them altogether grants to the amount of £16,640; and in eleven districts in Bethnal Green they had disposed of an aggregate sum of £71,662. If the Commissioners, during the last two years at all events, had been pursuing plans beneficial to the country, let not the House interfere with them. If the hon. Gentleman would wait he would see in a few days the Report of the present year, and what he would ask him to do was this—not to proceed with the present Bill—not to establish a bad precedent with reference to any particular property. Let him withdraw this Bill, or, if he objected to do that, let him postpone for a month or six weeks the second reading, and communicate in the meantime with the Commissioners and the Home Secretary, and see whether they could not give him a general measure applicable to the whole country, enacting that where there might be a large population the Commissioners would be bound to make special provision. They might thus be enabled to provide the most effectual remedy for the spiritual destitution which prevailed throughout the country, while they would be acting in conformity with all their previous legislation upon that subject.

Mr. AYRTON said, that the three Ecclesiastical Commissioners who had spoken in the debate had not come forward with a resolution by that body authorizing the Members in the House of Commons to oppose it. If the matter had been debated in that body they would have found it expedient not to oppose the Bill. As it was, they had only ventured to oppose it in their individual capacity, and not as Ecclesiastical Commissioners. The real question, from which the attention of the House was diverted by the Members of the Commission who had addressed it, was whether the metropolis did not stand in a peculiar position, different from the rest of the country. The House had over and over again laid down the principle that in many of the circumstances of legislation the metropolis must stand alone. When the estate in question would fall in, the metropolis would have contributed two-fifths of the entire fund at the disposal of the Commission to meet cases of spiritual destitution, and then two-thirds would be derived from the results of the efforts of the working classes of the metropolis. It was only last year that the right hon. Member for Oxfordshire came forward to introduce a special exception of the worst kind into the Bill of the Commissioners, and now the right hon. Gentleman cried out against exceptional legislation. He would prefer the practice to the preaching of the right hon. Gentleman on this occasion. There had been exceptional legislation in the case of Durham and in that of the Poor Knights of Windsor, as well as for Manchester and Rochdale, two troublesome places to the Government, the latter of which refused spiritual assistance and obtained temporal assistance in its stead. York had been referred to, but the place was suffering from a plethora of clergy who were poor because there were so many of them. The Commissioners had made special arrangements in all these instances, not one of which was half so strong as the present. The propriety of his proposal was, moreover, admitted several years ago by a Committee of the House of Lords, who said that in 1866 justice would be done. As to the grants made by the Commissioners to metropolitan districts, they were most inadequate. In one of the cases which had been adduced by the opponents of the Bill there were 19,000 parishioners, who, according to the principle of giving £300 per annum to every population of 4,000, ought to have had nearly £1,500, whereas they had only received £120. Indeed, the real effect of the Commissioners' scheme was to augment livings the patronage of which was vested in private persons at the public expense. He did not desire to increase endowments unnecessarily, but he proposed to retain this fund for a particular want, and if that want should hereafter cease the money might then go to the general fund. He denied the right of the Commissioners, by putting forth a scheme five years in anticipation, to deprive Parliament of its jurisdiction when the proper time arrived. Moreover, that body had ample funds wherewith to carry out their intentions. As for the suggestion that he should defer the measure, he could not entertain it, the Bill having been read a second time last Session, with the sanction of the then Secretary of State for the Home Department (Sir George Grey), whilst his successor promised that it should not be prejudiced through being postponed until this year. He trusted the House would not be led away by an appeal to selfish interests, but would listen to the dictates of justice.

Question put, "That the word 'now' stand part of the Question."

The House *divided* :—Ayes 53 ; Noes 87 : Majority 34.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Bill *put off* for six months.

House adjourned at a quarter after Four o'clock.

HOUSE OF LORDS,

Thursday, February 14, 1867.

MINUTES.]—Public Bills—*First Reading*—Office of Judge in the Admiralty, Divorce, and Probate Courts* (11); Hypothec Amendment (Scotland)* (12).
Second Reading—Public Schools (4).

RUMOURED DISTURBANCES IN IRELAND.—QUESTION.

The Marquess of CLANRICARDE: My Lords, reports respecting the alleged doings of Fenians in Ireland—and some of them of a very grave character—have been current throughout the town last night and this morning. Under these circumstances, the noble Earl opposite will doubtless pardon my asking, Whether there is any information in the possession of the Government which he can give to the House? I am sure your Lordships and the public will be glad to know the exact state of things in that country at the present moment.

THE EARL OF DERBY: My Lords, I can so entirely understand the anxiety which the noble Marquess and your Lordships must feel with regard to the unfortunate circumstances which have occurred within the last twenty-four hours in Ireland, and I also so fully recognise to the fullest extent the duty on the part of the Government of withholding nothing from your Lordships, that though the information which we possess is only such as can be received by telegram, and is, therefore, in the highest degree meagre and unsatisfactory, I am perfectly ready to state, without reserve, all the circumstances that have come to our knowledge. Yesterday afternoon we received information by telegram that between Mallow, Valentia, and Killarney the telegraphic wires had been cut; and by telegrams subsequently received we learned that they had been repaired and that the company were regularly patrolling the line for the purpose of its protection. Last night, a little before eleven o'clock, we received telegraphic information to the effect that an outbreak had certainly taken place—we do not know in what numbers, or how far armed—but that at Cahirciveen the coastguard station had been sacked, and that a messenger—a mounted policeman with despatches—had been shot by a body of insurgents. I am happy to say, however, that we received information this morning that, although the man had been shot at, he was not killed, but his arms and his horse were taken possession of by the mob. Our information further went on to say that great apprehensions were entertained in the town of Killarney, upon which it was said that the mob were marching. That, as the noble Marquess knows, is distant from Cahirciveen about forty miles. Killarney, at the time, was utterly unprotected; but provision for the safety of the place was made by sending instructions immediately for the movement of troops by express trains from Cork, Tralee, and also from the Curragh. We received in the course of the night three subsequent telegrams, the last of which informed us that the first detachment from Cork had arrived at Killarney, and that the second was expected there in the course of a few hours. I learned to-day from Lord Strathnairn that a detachment of 500 men were on their way from the Curragh, and had already arrived at Mallow. It is satisfactory to learn that these measures afforded great relief to the minds of the people of Killarney, and that no further outbreak has occurred, except, as we understand, that the police barrack at Kells, eight miles from Cahirciveen, was attacked by the same party which visited Cahirciveen. We have not heard that they have approached any nearer to Killarney, nor have we heard of any symptoms of disturbance in any other part of the country. It will also be satisfactory to your Lordships to know that we have arrested an officer in the neighbourhood of Cahirciveen, who when arrested was proceeding on a car to take command of the insurgents; and was taken with strongly criminatory papers in his possession. I believe that the feeling of anxiety and alarm which this sudden outbreak produced has greatly subsided. At a conference which I felt it my duty to hold last night with his Royal Highness the Commander-in-Chief, the Secretary of State for the Home Department, and Lord Naas, Chief Secretary for Ireland, it was decided that Lord Naas should proceed to Ireland at once, and he accordingly did so at a very early hour this morning. A telegram from Lord Strathnairn states that he goes over to Dublin by the mail to-night. I have no reason to believe that this is more than a local outbreak; at the same time, notice has been given in every direction that the utmost vigilance is to be exercised. Instructions have been given to the General commanding the district and to the Admiral upon the station, to be on the look-out, and the Government will neglect no precautions that may be necessary to crush this apparent rising before it goes further. This is all the information that I am able to lay before your Lordships. It is all the information which has been received up to a late hour this afternoon, and further than that no means exist at present of obtaining information. I trust, however, that the measures taken will prove sufficient to put this mad insurrection down. It is most satisfactory to know that in no other part of Ireland is there the slightest appearance of outbreak, or of any sanction having been given to these proceedings.

The Marquess of CLANRICARDE: I am anxious to learn from the noble Earl whether he is of opinion, or can form any opinion, that these insurgents or invaders came from the direction of the sea? The reference which the noble Earl has made to the Admiral upon the station leads me to ask whether it is probable that these people approached Cahirciveen along the common roads of the country or from the sea coast?

The Earl of DERBY: I have given your Lordships the whole of the information I possess. The occurrences have only taken place within the last twenty-four hours, and the intelligence being forwarded by telegraph, we cannot at present obtain further information than that which I have already detailed.

PUBLIC SCHOOLS BILL—(No. 4.)

(*The Earl of Derby.*)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2^a."—(*The Earl of Derby.*)

Earl STANHOPE said, he would take the liberty of repeating the suggestion he made last summer before the accession to office of the present Government. He then expressed to the Earl of Clarendon his opinion that the appointment of a single Commissioner from the House of Commons would hardly do justice to the subject. His suggestion was last year received with much favour, but a practical difficulty prevented its being carried out at the time. Now, however, he believed the difficulty was removed, and he begged leave to renew his suggestion that at least two efficient Members of the House of Commons be appointed Commissioners under the provisions of the Bill.

Lord LYTTELTON said, he believed the Bill would be highly beneficial as a whole; but it was capable of improvement in some of its details.

The Earl of DERBY said, that this was the same Bill as the one of last Session, which was introduced by his noble Friend the Earl of Clarendon, and he had brought it forward early, in order that it might be thoroughly considered. He thought it best to send the Bill to the House of Commons in precisely the same condition as it was passed by their Lordships last year; but he entirely concurred in the suggestion of his noble Friend (Earl Stanhope), that there should be two Members of the House of Commons in the Commission who should be so selected that they might represent the different parties in that House. He had not yet had an opportunity of consulting his noble Friend the Earl of Clarendon; but when they had selected the names and learned that they were willing to accept the office, he would mention them to the House. Of course, they would retain in the Commission all the names which were now in the Bill.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

OFFICE OF JUDGE IN THE ADMIRALTY, DIVORCE, AND PROBATE COURTS BILL [H.L.]

A Bill to provide for the Execution of the Office of Judge in the Admiralty, Divorce, and Probate Courts—Was *presented* by The Lord Chancellor; read 1^a. (No. 11.)

HYPOTHEC AMENDMENT (SCOTLAND) BILL [H.L.]

A Bill to amend the Law relating to the Landlord's Right of Hypothec in Scotland in so far as respects Land held for grazing or agricultural Purposes—Was *presented* by The Lord Chancellor; read 1^a. (No. 12.)

House adjourned at half past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 14, 1867.

MINUTES.]—Public Bills—*Resolutions in Committee*—Sugar Duties.

Ordered—Vice President of the Board of Trade; Murder Law Amendment; Capital Punishments within Prisons; Military at Elections (Ireland).*

First Reading—Railway Debenture Holders* [20]; Associations of Workmen * [21]; Vice President of the Board of Trade [22]; Military at Elections (Ireland)* [23]; Capital Punishments within Prisons [24]; Murder Law Amendment [25].

RUMOURED DISTURBANCES IN IRELAND.—QUESTION.

Mr. BRUEN said, that he had a Question on the notice paper relating to the inspection of weights and measures in Ireland; but as the noble Lord the Chief

Secretary was not in his place, he would defer his Question. He would, however, take that opportunity of suggesting that some Member of the Government should give the House some information respecting the very serious occurrences which have taken place in Ireland during the last few hours.

MR. WALPOLE: I think, Sir, that on all occasions, when a Question is to be put in Parliament in reference to occurrences like this, about which there have been so many rumours throughout the metropolis to-day, the duty of the Government is to communicate to the House all such information as it properly can communicate. I will therefore briefly state what, as far as the Government know, has happened in Ireland. Early in the afternoon of yesterday we received intelligence that the wires had been cut between Mallow, Killarney, and Valentia. Later in the afternoon we received intelligence—undoubted intelligence—that the wires which had been cut had been repaired, and that some servants of the company were watching and guarding them. No further intelligence reached us till eleven o'clock yesterday evening. About that hour we received intelligence that an attack had been made upon the coastguard station, or the police-station, about eight miles from Cahirciveen, and that an orderly had been shot at. This intelligence was received late yesterday evening; and upon that intelligence being received, it was determined on the part of the Government that my noble Friend the Chief Secretary for Ireland should go over to Dublin the first thing this morning. That he has done, and that will account for his absence from the House to-night. The Bills therefore of which he had given notice for to-night will be postponed to Monday next. This morning further intelligence was communicated from Dublin, to the effect that the orderly who had been shot at had not been killed, but that his horse and his arms had been taken from him. The report went on to state that armed parties were marching upon Killarney, and that one of the supposed Fenian chiefs, calling himself Captain Moriarty, had been arrested on a car as he was on his way to Cahirciveen. He had upon him, as I understand, letters which implicated him in this matter. The intelligence went on to state that troops had been sent for from Tralee, from the Curragh, and, I think, one company from Cork; and that some of them would have been at Killarney early this morning, and all of them early in the day. The same telegram brought also the information that there were no reports of any movement in any other part of Ireland; and therefore there is every reason to believe that, through the precautions taken by the Government there, whatever that movement may have been, it probably has been brought to an end by the time at which I am now speaking. These are the circumstances of the case, and I have thought it right to state the facts to the House.

CAPTAIN ARCHDALL: I should like to ask Her Majesty's Government, whether, after what has occurred during the last few days, they will be prepared to re-consider the resolution announced at the opening of Parliament, and which the Irish Attorney General has recently stated to have been come to by his advice and upon his responsibility, respecting the discontinuance of the suspension of the Habeas Corpus Act in Ireland?

MR. BAGWELL: It has been reported also that two or more steamers have landed parties from America at Valentia, and we shall be very glad to know whether there be any truth in that report.

MR. WALPOLE: I can only say that I have no intelligence of it, and I do not believe it. With regard to the other question, respecting the Habeas Corpus Act, the hon. Gentleman cannot expect the Government to answer it at present.

JAMAICA — LEGAL PROCEEDINGS AGAINST OFFICERS.—QUESTION.

MAJOR JERVIS asked, Whether the attention of Her Majesty's Government has been drawn to the recent arrest in London, by the civil power, of two officers of Her Majesty's service, in consequence of a court martial recently held in Jamaica; whether, taking into consideration the grave and responsible duties imposed upon officers of the Army and Navy by the legislative enactments passed for the regulations of these services, and the result of the inquiries instituted by the War Department and the Admiralty with reference to the conduct of the officers of both these services during the recent disturbances in Jamaica, Her Majesty's Government purposed affording those officers who had been so arrested the fullest legal assistance?

THE CHANCELLOR OF THE EXCHEQUER: I have no doubt whatever that when an officer in Her Majesty's service, obeying the commands of his superior officer, performs acts which are afterwards legally impugned, it will, of course, be the duty of the Government to defend him.

COLONIAL BISHOPS.—QUESTION.

MR. CARDWELL asked the Under Secretary of State for the Colonies, Whether it is the intention of Her Majesty's Government to introduce any Bill on the subject of Colonial Bishops, or of Clergymen ordained by Colonial Bishops?

MR. ADDERLEY: The noble Lord the Secretary of State for the Colonies will immediately introduce a Bill on the subject in the other House.

REPRESENTATION OF THE PEOPLE—THE RESOLUTIONS.—QUESTION.

LORD ROBERT MONTAGU asked Mr. Chancellor of the Exchequer, Whether the Government will endeavour, as early as possible in this Session, to bring in a Bill which will carry out whatever Resolutions may be passed by the Committee on the Act 2 & 3 *Will.* IV. c. 45?

THE CHANCELLOR OF THE EXCHEQUER: I observe that there is upon the paper another Question, of which notice has been given by the hon. Member for Nottingham (Mr. Osborne), referring to the same subject—namely—

> "To ask if Her Majesty's Government will inform the House what is the exact amount of reduction contemplated 'in the value of the qualifying Tenement in counties and Boroughs;' also the description of 'other Franchises not dependent on such value,' as mentioned in Reform Resolution No. 2,"

and perhaps, with the indulgence of the House, it will be more convenient that I should answer both these Questions at once. The inquiry of the hon. Member for Nottingham, to which I shall presently refer, is caused by a misconception of the object of the Government in proceeding with the Resolutions of which I have given notice for the 25th of this month. I am ready to take on myself all blame for any misconception that may have arisen in his mind on the subject. The main object in introducing these Resolutions was that we should obtain the sanction of the House to the principles upon which the Bill, which we hope we may introduce into Parliament on Parliamentary Reform, shall be based. Our object in having recourse to such a mode of procedure was to prevent the Bill which we might bring in from being met with some Resolution of censure and condemnation, founded probably on an attack against some particular principle contained in it. Under these circumstances, I need not perhaps inform the hon. Gentleman that I am not prepared at the present moment to enter into any details of the Resolutions to which he has referred, and which express the principles on which we wish to act. In case these Resolutions of which we have given notice are passed, we shall be prepared at once to introduce a Bill founded on them; but I wish the House to clearly understand that our object in bringing forward these Resolutions was merely to come to some general understanding with the House as to the principles on which the Bill, which we hope we may almost immediately introduce, is to be founded, and that therefore we do not contemplate entering into the details to which the hon. Gentleman the Member for Nottingham referred. We look upon the application of the principles embodied in the Resolutions as being part of the responsibility of Government; nor can we expect —I can hardly say we should desire—on the occasion of our moving the Resolutions, that the House should feel it necessary to originate itself any opinion on this point. All we can say is, we are perfectly prepared, if the House wishes to enter into a discussion upon the Resolutions in that manner, to meet them; but what we should prefer is that the principles involved in the Resolutions should be sanctioned, if they are to be sanctioned, by this House, and that we should be permitted in consequence immediately afterwards, or at the earliest convenient moment, to introduce in a legislative form the adaptation of those principles to the business which is before us. That, also, would be my answer to the Question put by my noble Friend, who wishes to know whether, if the House, in general Committee, passes certain Resolutions on the subject of Parliamentary Reform, we shall in good time be prepared to act upon them by presenting a Bill? I can only assure my noble Friend that the moment the Resolutions are passed not a moment will be unnecessarily lost. I should consider that to invite the House to discuss Resolutions upon a subject of this paramount importance, and, in the event of their being adopted, not to be prepared immediately to act upon them, would be disgracefully trifling with the House of Commons.

LORD ROBERT MONTAGU: The right hon. Gentleman has misunderstood my Question. I did not ask him whether he intended to bring in a Bill to carry out the Resolutions of which he has given notice; but whether he honestly and sincerely desired to gather the opinion and wishes of the House and bring in a Bill to embody those wishes as expressed by the Resolutions of the Committee. I wish not to be told he will bring in a Bill to carry out a certain foregone conclusion of the Government; but whether he will bring in a Bill to carry out the wishes of the House. I hope the right hon. Gentleman will give an answer to my Question, as it may make a serious difference in the votes to be calculated on.

The CHANCELLOR of the EXCHEQUER: I do not clearly understand the object of the noble Lord's second inquiry. I take it for granted that everybody who acts in this House is honest and sincere. As long as the Government conduct the Committee in which the Resolutions are moved, of course it will be their duty to act upon those Resolutions, whether they propose them or private Members propose them. I hope we may reserve to ourselves the privilege of free men, and that if Resolutions are adopted which we cannot carry out, we may decline to do so, and not follow what appears to be the object of my noble Friend — namely, act upon Resolutions which we do not approve. To that I cannot agree. I must repeat again, in the most distinct manner, that we brought forward these Resolutions as the basis of a Bill. We thought it was the only mode by which we could attempt to legislate with any satisfaction. We do not suppose that in passing them we are passing our Reform Bill. The Reform Bill must depend upon its merits. What we supposed was that by this means we should obtain for our measure a fair hearing.

Mr. OSBORNE: Perhaps the right hon. Gentleman will be able distinctly to state when he will be able to name the exact figure at which he proposes to fix the franchise.

The CHANCELLOR of the EXCHEQUER: I must apologize to the House for troubling them so often. I at once say that if the hon. Member and his Friends will agree to the Resolution which will be placed in the hands of the Chairman—namely, that the qualification for the franchise shall be lowered, I shall, supported by that principle, which the House will have accepted, take the earliest opportunity of entering, in a Bill, into all the details. I think, if the House will consent to that mode of proceeding, there is no reason why there should be any delay in bringing in the Bill. It may be brought in immediately the Resolutions are passed. Therefore, we are not courting delay. The hon. Gentleman has inquired of me what are the particular new franchises we intend to propose, and what the re-adjustment of the old franchises. But though they are important considerations, these are really matters of detail for the Committee, and it is only in Committee we can satisfactorily settle them. If on these Resolutions we go into a discussion of all the minute points of that character that can arise out of the Resolutions, I must frankly confess the expectation of Her Majesty's Ministers in regard to the early introduction of a Bill will be much disappointed.

SPAIN AND CHILE.—QUESTION.

Mr. HORSFALL asked the Secretary of State for Foreign Affairs, If he is aware whether Spain and Chile have accepted the mediation of the United States, or whether he is in possession of any information leading to the hope that they will do so?

Lord STANLEY: The House is aware that a proposition has been made by the Government of the United States, having for its object the settlement of the existing differences between Spain and the South American Republics. We have not, however, heard of the acceptance of that proposition by either Government, and it is impossible to predict what may happen; but from the general tenour of the information we have received, I think there is fair ground to hope that the proposition may be accepted. At the same time, in the present state of the case, it is not a matter upon which I can speak with any degree of confidence.

MAJOR PALLISER—REWARD OF INVENTORS.—QUESTION.

Mr. HENRY BAILLIE asked the Secretary of State for War, Whether it is true that the Government is about to award a large sum of money to Major Palliser, as the inventor of chilled iron projectiles, when it is stated in the well-known American work on Ordnance and Armour, by Hollay, page 495, that Captain Parrott had used chilled iron projectiles for ironclad fighting during the Civil War in the United States?

GENERAL PEEL: I propose, in the Estimates we shall lay on the table next week, to include a limited sum for the reward of inventors of whose inventions we have availed ourselves; and a portion of the Vote will be awarded to Major Palliser, who, for the last three years, has devoted his time almost exclusively to the carrying out of those experiments of which we have availed ourselves. When I propose the Vote I shall fully explain the grounds on which this acknowledgment is made; and if my hon. Friend wishes to object to it he will have the opportunity of doing so; but of all the charges of lavish expenditure brought against the War Office, that of rewarding inventors too highly is the one they are least open to.

LABOURERS' DWELLINGS—APPLICATIONS FOR LOANS.—QUESTION.

MR. GOSCHEN asked the Secretary to the Treasury, Whether any applications for Loans had been made under the Act of last Session "for enabling the Public Works Loan Commissioners to make advances towards the erection of Dwellings for the Labouring Classes;" and, how any such applications have been dealt with?

MR. HUNT said, there had been ten applications made for loans under the Act. The Treasury had made certain rules with reference to such applications, and those rules required that application should be made in the first instance to the Public Works Loan Commissioners, who were to forward the plans to the Board of Works for approval, and no money was to be advanced unless the latter Board certified that the building was suitable for the purpose for which it was intended. Ten applications had been sent in; of these, six did not give sufficient information to justify the Public Works Loan Commissioners in sending the plans to the Board of Works, and these applications had been returned for further information. Four applications had been sent to the Board of Works; and a doubt arose as to whether the plans could be certified, unless certain requirements were agreed to. The consequence was that bye-laws had been, with some difficulty, drawn up within the last few days. One application had received the sanction of the Board of Works, and had gone back to the Commissioners for their decision as to what sum was to be advanced if any advance were made. In respect of another application the Board of Works required further information; as to another, the plans were being considered; and in the fourth case the plans had been objected to. He understood that application would be shortly made for £20,000 by a limited liability company.

LOSS OF THE "NORTH."

QUESTION.

MR. KNATCHBULL-HUGESSEN asked the President of the Board of Trade, Whether he proposes to institute any inquiry into the case of the ship *North,* lost on the Goodwin Sands last autumn; and, if so, whether he will engage that the inquiry shall extend to the cause of the wreck in the first instance; and that, with regard to the subsequent proceedings, full opportunity shall be given to the boatmen and other inhabitants of Deal to answer the accusations made against them in the public press and elsewhere?

SIR STAFFORD NORTHCOTE said, that the Board of Trade had received from the Committee of Lloyd's a formal complaint of the circumstances attending the loss of the *North.* He had directed that an inquiry should take place. That inquiry had been committed to Mr. Montagu Bere, and letters had been addressed to the hon. Member and his colleague, and others interested, stating what course the inquiry would take. The inquiry would be open, and every opportunity would be given to the inhabitants of Deal to adduce any evidence they desired to give. He did not perceive that there was any occasion for extending the inquiry to the cause of the wreck; that question appeared to be in no way connected with the plunder of the vessel. If it should appear that a second inquiry was desirable it could be instituted.

TROOPS AND ARMS IN CHESTER CASTLE.—QUESTION.

MR. OWEN STANLEY asked the Secretary of State for War, What was the amount of Military force in Chester Castle on Friday, the 8th of February; what arms and ammunition were stored there; and whether, as reported, the troops stationed there were suspected of having been tampered with by the Fenians?

GENERAL PEEL: My hon. and gallant Friend has not given me notice of the alteration in the form of his Question, and I can only, therefore, give him from memory an account of the stores in Chester Castle. With regard to the number of troops who were at Chester on Friday last, there was only one company of the 54th Regiment consisting of two officers and sixty-five men; and one officer and thirty-three men of the permanent staff of the Militia. It is the intention of His Royal Highness the Commander-in-Chief to relieve the Guards sent down from London by a battalion of infantry, which will be quartered between Weedon and Chester and Liverpool. The number of muskets in the Castle last Friday was about 9,000 stand; there were 4,000 swords, 900,000 rounds of ammunition, and a large store of gunpowder. I have had no information whatever respecting the existence of any Fenianism among the troops; and therefore to that portion of the Question my answer must be that no report of the kind has ever reached me.

PROMOTIONS IN THE NAVY.

QUESTION.

Mr. HANBURY-TRACY asked the First Lord of the Admiralty, Whether it is true that a Lieutenant of the Royal Navy, whose commission as Lieutenant only dates from the 22nd May 1861, has been promoted to the rank of Commander by the present Board of Admiralty, over the heads of nearly 370 of his seniors, whose promotion has been for a considerable time almost at a standstill; if so, what special reasons can be assigned for so unusual a proceeding?

Sir JOHN PAKINGTON: It is quite true that in the case to which the hon. Gentleman refers I did promote a young officer of unimpeachable character and professional reputation to the rank of commander. His service as lieutenant was between five and six years, during which he had served five years at sea. I believe that in doing so I only acted upon the principle which has been recognised by successive Boards of Admiralty for a great length of time—namely, that it is for the benefit of the naval service from time to time to promote a certain proportion of young officers. I confess that I heard with some surprise that passage in the Question which relates to this officer being promoted "over the heads" of 370 others. The hon. Gentleman has been himself a naval officer, and he must, therefore, know perfectly well that promotions in the Royal

Navy from the rank of lieutenant always are, and always must be, by selection, not by seniority, and he must also know perfectly well that a large proportion of these 370 officers cannot hope ever to reach the rank of commander on the active list. I only wish to add that I think the House would infer from the Question of the hon. Gentleman that this was a single promotion. On the contrary, it was one of five promotions which were made on the same day. I am unwilling, because I think it might create misunderstanding, to enter into explanations of my reasons for making one of these five promotions. I am perfectly willing to explain my reasons for the whole of those promotions. If I were to do so now I should exceed the ordinary limits of an answer to the Question; but should the hon. Gentleman be of opinion that I have acted improperly in making these five promotions, I shall be ready at any moment to defend the course I have pursued.

THE DISTURBANCES AT CHESTER.

QUESTION.

Mr. WHALLEY asked the Secretary of State for the Home Deparment, with reference to the recent Fenian alarm at Chester, Whether any inquiry will be made as to the extent to which the Fenians had reason to rely on finding accomplices amongst the soldiers, police, or others in authority; whether the Government have considered the risk of any such parties failing in their duty if called upon to act in such cases; and, generally, for such information as to the nature, extent, and organization of this conspiracy as may, in case of necessity, enable the public to provide for their own protection?

Mr. WALPOLE: I do not think the House will expect me to go into "the nature, extent, and organization" of the Fenian conspiracy. The only part of the Question requiring a distinct answer is that as to the existence of Fenianism among the troops. My right hon. and gallant Friend the Secretary of State for War has already given a substantial answer to that question; but I may add that in the report which I have read this morning from Captain Edwards, who commanded the 54th at Chester, he expresses his opinion strongly that the rumours of Fenianism in that body of men are entirely without foundation.

SUGAR DUTIES.

COMMITTEE. RESOLUTION.

Sugar Duties *considered* in Committee.

(In the Committee.)

THE CHANCELLOR OF THE EXCHEQUER said: The Resolutions which I am about to propose will, if adopted, effect a great change in a very important portion of our Customs revenue. They are the consequence of a Convention into which Her Majesty entered in 1864 with the Emperor of the French, the King of the Belgians, and the King of the Netherlands, with the object of putting an end to great abuses existing in the assessment of the drawback in several countries of Europe, and establishing a drawback upon a common principle to be adopted by all those countries. In our own country I am bound to say that I believe the drawback upon refined sugar was, upon the whole, established upon fair principles, and bore an approximate proportion to the duty received upon the importation of the raw material; but it was far otherwise on the Continent of Europe, especially in the countries where the great sugar refineries existed—Holland, Belgium, and France. There the drawback was, I will not say calculated, but arranged upon a most extravagant scale; and, in fact, under the name of drawback in those three countries, practically speaking, a great bounty was furnished to the sugar refiners. The consequence of this bounty was that the sugar refiners of England could no longer compete with those of the countries I have named in neutral markets, and not only could they not compete in neutral markets, but they soon found the sugar refiners of France and the Low Countries competing successfully with them in our own markets. Under these circumstances, the sugar refining trade of this country greatly decreased, and was, in fact, fast disappearing; and at the first blush it seemed difficult to suppose that anything could be done to relieve this body of our fellow-subjects from so great a disadvantage. It so happened, however, that in time a mode of relief occurred, and in a very remarkable and significant manner. Some years ago the finances of France were not in a satisfactory state, and M. Fould, a Minister of great ability and acuteness, especially on financial subjects, having been called upon to examine the state of French finance and devise remedies, found, on examining the expenditure of the country, that there was what he properly considered a large and most indefensible expenditure in the shape of bounties to sugar refiners. The French Government, under these circumstances, placed themselves in communication with the authorities of this country. The sugar refiners of France did not attempt to defend the principle of the abuse under which their trade had flourished, but defended the practice on the ground that all other countries also, under the name of drawbacks, really supplied bounties to the sugar refiners. It was in 1862 that the French Government communicated with Her Majesty's Government, and about the time of the last Exhibition M. Rouher, the Minister of Commerce, visited this country, and had a communication with the authorities on this subject. The result of M. Rouher's visit was to convince him that the fault did not lie with England, and that our drawback was calculated on principles which bore a fair and just relation to the duties maintained on the raw material. But that was not the case with Belgium and Holland. The French Government then communicated with the Ministers of Belgium and Holland; and after a conference, they were of opinion that it was much better that all the countries interested in the trade of sugar refining should agree upon a *bonâ fide* drawback, if possible, and make a saving of the large sum which was expended under the name of drawback, but which was really in the nature of a bounty. After coming to that conclusion, the French Government caused a Conference to take place, first, I think, in Paris, and this Conference in due course led to the Convention of 1864 between the four Powers to which I have referred. The object of the Convention was to establish in the four countries a drawback upon the exportation of refined sugars which should be founded upon just and identical principles. By one of the articles of that treaty, it was agreed that experiments in refining sugar should be carried on upon a considerable scale in a neutral State. It was impossible to arrive at the conclusion which was requisite unless a process of that kind was undertaken. At the commencement of the proceedings, when this Resolution was arrived at, the foreign Governments in question were anxious that the drawbacks should be estimated upon sugar considered solely as one article, and they objected greatly to the classification which has prevailed in this country for a considerable time. But when they had thoroughly investigated the question they found it was utterly impossible to arrive at a satisfactory solution of the difficulty—which in a commercial point of view is an affair of great magnitude—without adopting the English system; their prejudices accordingly disappeared, and they did adopt our system of classification. Upon that system the experiments devised by eminent men, the head of the Customs in France and the Surveyor General of the Customs in England—Mr. Ogilvie, a distinguished member of the Civil Service—were carried on at Cologne. A considerable refinery was hired there, and experiments on a very elaborate and extensive scale were carried on upon every variety of sugar. Holland sent specimens from Java, France supplied her beetroot sugar, and England all the other samples. The experiments were prosecuted for more than a year; but though they were elaborate and costly, their result was most satisfactory, for the four Powers were enabled to arrive at a clear conclusion, according to which the drawback upon exported refined sugar in the four countries is established upon precise and similar principles. To complete these labours and carry the Convention entirely into effect, it is necessary that this scale of duties, which I am going to propose to-night, should be adopted by the Committee. I may congratulate the country on the conclusion of this very laborious business. Some of the results are highly favourable, and I think we may fairly congratulate ourselves upon them; because, while France and the other countries concerned have obtained a result which is perfectly satisfactory to themselves, and in which we also share, there are some benefits which are peculiar to England, owing to the remarkable circumstances in which England is placed. In the first place, the trade of our sugar refiners will be completely restored. They will be able to meet in neutral markets on fair terms with their natural rivals, and they will not encounter any vexatious rivalry in our own markets. In the next place, from the adoption throughout the Continent of our classification of duties, a new impulse will be given to the trade and produce of the West Indies. There are West Indian sugars which will find a market on the Continent, which they have not been able to find hitherto. And in the third place, these negotiations will lead to a very considerable reduction in the sugar duties of the other countries concerned. These are results highly satisfactory, and it only remains for me to inform the House of the effect of these arrangements upon our revenue. I hope the account I give will be perfectly satisfactory; because by the new duties which I am now going to propose it will be seen that England will obtain all the legitimate advantages to which I have referred, while our revenue will not be affected in the slightest degree. By one of the schemes proposed there would have been a considerable increase in the revenue, and an increase of duty; by another scheme there would have been a loss of about £300,000; but after further labours and arrangements a scheme was devised, and is now adopted, which really will not affect the revenue in any tangible degree. It is hardly necessary for me to explain minutely to the Committee the changes which have taken place with regard to a most important article—that of refined sugar. There is a reduction upon it of from 12*s.* 10*d.* to 12*s.* There is a slight reduction in one other article, and a slight increase in the third scale of the unrefined sugar; but the general result is that the effect upon the revenue is nil. This is a conclusion which, I hope, will be quite satisfactory to the Committee, as it is to myself. The subject is complicated, but I trust I have explained it with sufficient clearness, and I beg now, Sir, to move the Resolutions which I place in your hands.

The right hon. Gentleman then moved the following Resolutions:—

1. That on and after the 1st day of March, 1867, in lieu of the Duties of Customs now charged on the undermentioned articles, the following Duties of Customs shall be charged thereon, on importation into Great Britain or Ireland (that is to say):

		£	*s.*	*d.*
Sugar, viz.:—				
Candy, brown or white, refined Sugar, or Sugar rendered by any process equal in quality thereto, and manufactures of refined Sugar	the cwt.	0	12	0
Sugar not equal to refined, viz.:—				
First Class . .	the cwt.	0	11	3
Second Class . .	the cwt.	0	10	6
Third Class . .	the cwt.	0	9	7
Fourth Class, including Cane Juice	the cwt.	0	8	0
Molasses . . .	the cwt.	0	3	6

2. That on and after the 1st day of March, 1867, in lieu of the Drawbacks now allowed thereon, the following Drawbacks shall be paid and allowed on the under-mentioned descriptions of Sugar refined in Great Britain or Ireland on the exportation thereof to Foreign parts, or on removal to the Isle of Man for consumption there, or on deposit in any approved warehouse upon such terms and subject to such regulations as the Commissioners of Customs may direct, for de-

livery from such warehouse as Ships' Stores only, or for the purpose of sweetening British Spirits in Bond (that is to say):

	£	*s.*	*d.*
Upon refined Sugar in loaf complete and whole, or lumps duly refined, having been perfectly clarified and thoroughly dried in the stove, and being of an uniform whiteness throughout, and upon such Sugar pounded, crushed, or broken in a warehouse approved by the Commissioners of Customs, such Sugar having been there first inspected by the Officers of Customs in lumps or loaves as if for immediate shipment, and then packed for exportation in the presence of such officers, and at the expense of the exporter, and upon Candy, and also upon Sugar refined by the centrifugal or by any other process, and not in any way inferior to the Export Standard Sample No. 1, approved by the Lords of the Treasury . for every cwt.	0	12	0
Upon refined Sugar unstoved, pounded, crushed, or broken, and not in any way inferior to the Export Standard Sample No. 2, approved by the Lords of the Treasury, and which shall not contain more than five per centum of moisture over and above what the same would contain if thoroughly dried in the stove for every cwt.	0	11	5
Upon other refined Sugar unstoved, being bastards or pieces, ground, powdered, or crushed:—			
Not in any way inferior to the Export Standard Sample No. 3, approved by the Lords of the Treasury . for every cwt.	0	11	3
Not in any way inferior to the Export Standard Sample, No. 4, approved by the Lords of the Treasury : for every cwt.	0	10	6
Not in any way inferior to the Export Standard Sample No. 5, approved by the Lords of the Treasury . for every cwt.	0	9	7
Inferior to the above last-mentioned Standard Sample for every cwt.	0	8	0

Mr. CRAWFORD said, he had no objection whatever to offer to the changes which the right hon. Gentleman proposed. On the contrary, they were perfectly satisfactory to him, because they would bring the duties more nearly to an equalization than before—a principle for which he had always contended in and out of the House. As far as the effect of these alterations upon trade was concerned, that would depend in a great degree upon the interpretation that might be placed upon the terms —first, second, and third classes. He would therefore ask the right hon. Gentleman whether it was intended by the use of the terms first, second, third, and fourth classes to depart in any way from the mode in which the sugars were already known as classified for the purposes of the present duties. The best feature in the change was the reduction of the duty on the finest descriptions of sugars from 12*s.* 10*d.* to 12*s.* There was one point upon which he wished for an answer. He found in the schedule two items—the second, one of 11*s.* 5*d.*; the third, one of 11*s.* 3*d.* The drawbacks corresponded exactly with the duties imposed. He would ask the right hon. Gentleman what was the meaning of the second item of 11*s.* 5*d.*, which he did not see in the scale of duties on the imported sugars?

Mr. GLADSTONE: I do not wish to trouble the Committee by many observations; but I think it my duty to rise and sustain altogether, so far as my information and memory serve me, the statement made by the right hon. Gentleman. In point of fact, this is a proposal for which the late Government are fully responsible; and the right hon. Gentleman, I think, in the exercise of a very just judgment, has approved the result of certain inquiries for which we were responsible. There is only one point upon which I am anxious the House should not labour under any misunderstanding; because, in point of fact, it indicates and illustrates that approximation in the relation of friendly Powers which enables them to confer together, to concur and cooperate in joint proceedings for the regulation of their mutual interests in a manner which, I think, heretofore has been without example. So far it may be said to be realizing the interests of that kind of progress which we must all desire to see realized, and which tends so much to the benefit of mankind. But I wish to state even more openly that the merit of this proposal, which I take to be a very great merit, does not belong to the late Government, nor to the agents of the late Government; the merit of its conception belongs to the Government of France. The right hon. Gentleman was, I think, no more than just in speaking of the assiduity, the knowledge, and the skill with which the duties devolving on our revenue officers have been performed. With regard to Mr. Ogilvie, in particular, I must say that nothing can be more creditable to any public servant than the clearness of the views which he entertains and the aptitude and precision with which he sustains and applies them. There is one point on which I am desirous there should be no misunderstanding. The Convention does not impose any fetter or restraint upon the discretion of the British Legislature or on that of the Legislatures of the three other countries with regard to the use of sugar as a fiscal resource. That branch of our revenue was much too important to allow of its being placed under any such restraint. The points to which we are restrained are the points on which it is actually beneficial for us to be restrained. What I mean is that while agreeing that the duties upon different descriptions of sugar shall bear a certain relation to one another, and that the drawbacks thereon shall bear a certain relation to the duties, the stipulations of an international character are entirely relative, the absolute duties which may be imposed being subject, as heretofore, to the discretion of Parliament. I believe that that is a correct statement; but if it is not, I hope I shall be corrected. Now, besides being a great sign of international progress, this happy occasion marks, I trust, the close of a domestic controversy—a controversy in which my hon. Friend the Member for the City of London (Mr. Crawford) displayed, as the representative of the cause which he espoused, an ability, an amount of knowledge, and a clearness of statement that I have never seen surpassed in this House. I think, however, my hon. Friend has to-night stated the case a little too much upon his own side, for we must not forget the principle which was contended for by the Committee of 1861, as well as by the right hon. Gentleman the Member for Oxford, and the right hon. Member for Shoreham (Mr. Cave)—namely, that the duty ought to vary according to the real value of the sugar, which ought to be regarded as raw material intended to undergo a further process of manufacture. That is the very principle which has now been arrived at by an investigation, carried on with all the resources which science and national funds could supply, and has received so high a sanction that I doubt whether it will ever again be overset or even assailed. I do not think any of us can view that conclusion with regret; because throughout these controversies it was impossible to contend for any other principle than that the real value of the several classes of sugar is the just basis for differences of duty, and the only object was to arrive at a just criterion for determining that value. The right hon. Gentleman the Chancellor of the Exchequer has stated that this proposal will have no effect upon the revenue. I can quite understand the sense in which those words are to be taken, and I think the right hon. Gentleman was perfectly right in adopting such a scale of duties as to leave matters, with regard to the amount of duty, as nearly as possible in the state in which he found them. I think, however, that inasmuch as this is decidedly a sound commercial change, and tends to bring the incidence of duty in closer relation to the value, we should derive the same advantages which we have derived in every department from everything that gets rid of a protective or differential element, and that much greater vigour will be imparted to the operations of the sugar trade under the new than under previous scales. We have from time to time in alterations of the duties endeavoured to reduce those differences. In 1864 we made a very great reduction in the scale, and there is now a further approximation to unity. I hope we have now got to a condition of things in which the enormous interests abroad and the considerable interests at home may look upon the principle of our system of duties as definitely established, and may consequently resume commercial operations free from the disturbing influences and apprehensions which must always be felt so long as uncertainty hangs over the proceedings of the Legislature.

Mr. CRUM-EWING said, he believed that a simpler plan might have been adopted than was now proposed. The Vice President of the Board of Trade (Mr. Cave) suggested last year that the duty should be greatly reduced, expressing his belief that a duty of a half-penny a pound would lead to so enormous a consumption as to protect the revenue from loss. He should like to know whether the right hon. Gentleman adhered to that opinion. A plan even better than that would be to allow the privilege of refining in bond, for then the grower would produce his sugar in the most economical state he could, whereas at present he was forced to make it so as to suit the various duties. He had been informed that a patent had been taken out in France for converting sugar into hard cakes like brickbats, so as to render unnecessary the use of casks, and greatly to diminish the expense of freight. He believed there were many other modes to which growers of sugar would resort if allowed, and he had no doubt these would have the effect of reducing the price of sugar 1*d.* a pound, independent of the duty altogether. He could testify to the ability which had been shown by Mr. Ogilvie; no more able officer could have been selected for the purpose.

MR. THOMSON HANKEY said, he was surprised to hear the hon. Member for Paisley (Mr. Crum-Ewing) express so much dissatisfaction with the measure of the Chancellor of the Exchequer. Having sat on the West India Committees, and having been for many years connected with the West India trade, he believed that a great point had been achieved in putting an end to the controversies between the different scales, and arriving at what promised to be a permanent understanding. His hon. Friend thought the question might have been settled in a more simple manner by a single duty; but this was not a mode which the West Indian interest thought was to their advantage. They had always contended that the duty should be levied on the quantity of saccharine matter; and he believed the West Indian interest would read the proposition of the Chancellor of the Exchequer with entire satisfaction.

MR. ALDERMAN LUSK asked the Chancellor of the Exchequer whether, if they should agree to the Resolutions, the sugar duties would continue as they are for the next twelve months? The time was come for considering whether they should try to reduce the duty on an article of such consumption amongst the humbler classes. If they did away with the classification altogether and brought down the duty to a half-penny per pound, the increase in consumption would make up for the reduction of duty.

MR. STEPHEN CAVE said, that hon. Members seemed determined to make use of the last opportunity left them to have a sugar debate. The hon. Member for Paisley had asked him whether he was of the same opinion that he had expressed last year as to lowering the sugar duties. He begged to tell him he was, and that whenever the state of the revenue permitted he should be happy to see these duties lowered, if not done away with altogether. Another question — that of refining in bond—had been considered by the Committee, and though in theory there was much to recommend it, in practice it was found to be quite impossible. It was contended that the simplest plan was to tax all kinds of sugar at the same rate. That was exactly what the Government proposed to do by these Resolutions. They had been asked why they put a different value on different kinds of sugar, but they did nothing of the sort. They taxed pure sugar at the same rate in every sample. This was the recommendation of the Committee. At that time the classification was based upon somewhat doubtful rules; but it had been since shown to be possible to find out the exact proportion of sugar in various samples almost to a mathematical certainty. His hon. Friend asked why the Government did not let every one make sugar just as he pleased. This was what the system of classification tended to do, whereas uniform duty would exclude the lower qualities. It was a common fallacy to suppose that every one did not make the best sugar he could. If they went to the various places of growth where duty did not enter into the question, they found the price varied as much as in this country, showing that it paid best to make sugar as good as possible, and the only reason why it was sometimes bad and sometimes good was because the best machinery and appliances could not always be commanded. The ryot of Madras and the free negro of Jamaica could not produce so good an article as those in possession of Derosne's vacuum pans. Colonial refineries seldom answered, and therefore inferior sugar was sent to this country to be refined, just as copper ore was sent to Swansea. It had been truly said that the origin of this movement was due to France, and the reason was that her system of drawbacks was so expensive to the country that the net revenue of the sugar duty, as compared with the gross, was only as 15 to 45. In answer to the hon. Member for London he begged to say that the different grades were precisely the same as those in the present classification, the names only were changed. The old names with which his hon. Friend was familiar, white clayed, brown clayed, muscovado, &c., were unmeaning and sometimes deceptive, and it was thought better to call sugars as of the first, second, third, and fourth class. This was assimilating our practice to the Dutch numbers, which were perfectly well known. The drawback of 11*s.* 5*d.* referred to sugar mixed with a certain amount of water, and if the hon. Member looked to the Resolution, he would see that sugar containing not more than 5 per cent of moisture would receive a drawback of 11*s.* 5*d.*, instead of 12*s.* If any one imported sugar in a damp state, which was practically never done except by mischance, when allowance was made, it would come in at 12*s.*; but if it were exported it was fair to allow a drawback of 11*s.* 5*d.* only, instead of 12*s.*, otherwise it would be a bounty. The difference of drawback was 7*d.*, or about 5 per cent. It was asked whether we were free to raise or lower duties. Full liberty to do so was reserved by the Convention. We might do as we liked in this respect provided we preserved the proportion between the different grades. It was not usual to publish changes of duty till they were actually in force, but in this case the result of the experiments was published in the French papers, and therefore there had been sufficient data before the trade to enable them to calculate the new duties, and he had that morning received a paper in which they were estimated to within 1*d.* of the actual amount. The month of May was originally fixed upon as the time at which they would come into operation; but when he was in Paris the other day he heard it stated that all the other countries were ready to begin and were only waiting for us. It was therefore thought desirable to propose the new duties as soon as possible. He heard in Paris that it was hoped the Zollverein would join in the same reform. At present the Zollverein Excise duties and drawbacks were fixed on a different principle—(namely, on the raw root), and one which caused great loss to the Governments of those countries. At all events, when the success of the present experiment was proved it was hoped that other Governments would come in and adopt the same. His hon. Friend had asked him whether the re-arrangement of duties was favourable to the British West Indies. He was sorry to say it was not, and therefore he personally rather objected to it, but it was fair and just, and moreover Her Majesty's Government had no choice as their hands were absolutely tied by the terms of the Convention.

MR. CRUM-EWING wished to explain that he was not dissatisfied with the plan of the Government altogether. The House owed very much to the Government in regard to the question of drawbacks.

Resolutions *agreed to;* to be reported *To-morrow.*

VICE PRESIDENT OF THE BOARD OF TRADE BILL.

LEAVE. FIRST READING.

SIR STAFFORD NORTHCOTE: Sir, I rise to move for leave to bring in a Bill for abolishing the office of Vice President of the Board of Trade, and substituting a Secretary, with a seat in Parliament; and in doing so I think I need not detain the House at any length. Of late years, as many hon. Gentlemen are well aware, the character of the Board of Trade and the duties which it has to perform have very materially altered. When the Board of Trade—or, as it is more properly called, the Committee of Privy Council for Trade and Plantations—was first established, it was in fact a consultative department, to which questions relating to trade were referred as they arose from time to time, and which gave advice on such subjects to the different Departments. At that time the Board of Trade had very few Executive duties to perform, and the Office consisted of a considerable number of Privy Councillors, presided over by a President, and, in his absence, by a Vice President, who really had nothing to do except to take the President's place when he could not attend. But, of late years a very great amount of administrative work has been confided to the Board of Trade, and of a very varied description, with reference, for example, to railways, to merchant shipping, harbours, fisheries, and many other matters; and it has now really and thoroughly become an executive Department. Last Session a good deal of additional business was thrown upon it, because the management of the foreshores was transferred to it from the Office of Woods; and another important function, formerly exercised by the Exchequer — namely, in connection with the standards of weights and measures, has also been vested in it. Under these circumstances, it was of course necessary for the Board of Trade to apply to the Treasury for an addition to its staff to meet this additional work. The application was made in a formal manner, leaving the Lords of the Treasury to authorize the appointment of the officers who were required to discharge the additional duties. On receiving that communication the Treasury replied that they thought it desirable, before sanctioning any increase of strength to the Board of Trade, that there should be an inquiry into the constitution of the Department, in order to see whether it was possible to effect any economy by a revision of the arrangements in the Office. Accordingly, my right hon. Friend the Vice President of the Board of Trade, and the Secretary of the Treasury, were appointed a Committee for that purpose; and having carefully investigated the matters referred to them they drew up an elaborate Report on the state of the Office, containing a variety of proposals. One of the most important of the alterations which they recommended was that, instead of having a President and a Vice President of equal rank and equal salaries, and both Privy Councillors—there being no distinct separation of duties between them—instead of having two such officers, and under them two joint Secretaries, and under those two joint Secretaries again a staff for the most part consisting only of clerks, it would be a preferable arrangement that there should be one head of the Office—namely, the President; that there should also be two Secretaries, one of whom should sit in Parliament; that the office of Vice President should be abolished, and that there should be as many assistant-secretaries as were required for transacting the business of the Board. The Committee accordingly proposed that there should be a subdivision of the Office into four departments, each having an assistant secretary, —namely, one for railway matters, another for matters relating to the Mercantile Marine, another for harbours and foreshores, and another for general commercial business—with a staff of clerks under them. The effect of this arrangement would be, that the office of Vice President, with a salary of £2,000 per annum attached to it, would be abolished, and that that £2,000 would be applicable to the additions which have to be made to the lower portion of the Office. The salaries of the two principal Secretaries would remain as before at £1,500 a year, and we shall be able materially to strengthen the Department, and obtain all the assistance we require, without adding anything at all to its total expense. I mean there will be no additional expense when the arrangement is complete. It is necessary that the sanction of Parliament should be asked to the proposal for abolishing the office of Vice President, and for allowing one of the Secretaries to sit in Parliament. For this purpose I seek to introduce the present Bill, which provides that the office of Vice President shall be abolished from and after the next vacancy in it. It was not in our contemplation that my right hon. Friend the present Vice President (Mr. Stephen Cave) should be asked to resign. We certainly felt that that would be a very injudicious and improper proposal to make, and we should suffer much by losing the very valuable assistance which he is able to render. At the same time, my right hon. Friend in a very handsome manner said he was perfectly ready to place his own office at the disposal of the Government, and, if it would facilitate our arrangements, to resign immediately. That very honourable offer on his part, however, the Government thought it would not be right to accept; and I am sure the House will agree to what we propose—namely, that the office of Vice President should remain as it is under his tenure, but that in future, on its becoming vacant, it should not be filled up again, but that a Parliamentary Secretary should be appointed instead. The benefit of the saving of the difference between £2,000 and £1,500 a year will not, of course, be obtained while my right hon. Friend continues to hold the office. We do not, however, recommend this change as a measure of economy, but rather as one which will place an important Department on a much more satisfactory footing than it has been for the conduct of the public business intrusted to it. I may add that the Vice President of the Board of Trade of late years has usually held the post of Paymaster General, without any salary on account of that office. It was thought that some provision might be made for some other person performing the duties of that office; but I believe there will be no difficulty in attaching those duties to the office of the Judge Advocate General. I propose, after obtaining leave to introduce this Bill, to lay on the table the correspondence which has taken place between the Treasury and the Board of Trade, in order that the House may have the whole matter clearly before it. The right hon. Baronet concluded by moving for leave to bring in a Bill for abolishing the Office of Vice President of the Board of Trade, and substituting a Secretary with a seat in Parliament.

MR. MILNER GIBSON said, such a Bill as that which the right hon. Baronet proposed to introduce had been for some time past under consideration, and that the conclusion which had been arrived at by those who had entered into the subject was decidedly in favour of a plan of the nature which he had indicated. The position occupied by the Vice President of the Board of Trade had long been felt to be an anomalous one. He had co-ordinate authority with the President of the Department, and was in no way subordinate to him. The substitution of a paid Secretary subordinate to the head of the Office would, he thought, be a much better arrangement.

Motion *agreed to.*

Bill for abolishing the Office of Vice President of the Board of Trade, and substituting a Secretary with a seat in Parliament, *ordered* to be brought in by Sir Stafford Northcote, Mr. Cave, and Mr. Hunt.

Bill *presented,* and read the first time. [Bill 22.]

MURDER LAW AMENDMENT BILL—CAPITAL PUNISHMENTS WITHIN PRISONS BILL.

LEAVE. FIRST READING.

Mr. WALPOLE, in moving for leave to introduce a Bill to amend the law relating to murder, and for giving further protection to new-born children, said : The two Bills which stand on the paper in my name—this and another Bill to provide for carrying into effect capital punishments within prisons—are measures which are brought forward in pursuance of the recommendations of the Royal Commission which was appointed to inquire into the state of the law by which the punishment of death is inflicted on persons convicted of certain crimes, and into the mode in which that punishment is carried into execution. The House will see that the subject divides itself into two distinct branches—the law relative to capital offences, and the manner in which that law is put in force. A Bill which was brought into the other House of Parliament, and which came down to this House at the end of last Session, comprehended within its provisions both those branches ; but I have deemed it right, inasmuch as the subject divides itself into two distinct parts, to deal with this subject in two distinct measures. There are some persons who are of opinion that capital punishment ought to be abolished, and that executions ought not to take place in private ; whereas there are others who think that executions ought to be private, and that capital punishment should be retained. By dividing the proposals which I have to submit to the House into two parts, I thought I should be furnishing a better opportunity to both the one side and the other to take objections and to state their views upon each of these points than if I were to combine those proposals in a single Bill. It will, perhaps, be more convenient if I state on this occasion what is the character of each of the Bills which I am about to ask for leave to bring in, rather than enter into any of those controversial points which may, and probably will, arise with reference to the expediency of abolishing the punishment of death in all cases or of maintaining it in some. Although some of the Commissioners thought it might in the abstract be wise to get rid of the punishment of death, yet they all agreed that if it were not absolutely done away with, the law with respect to it, at all events, stood in need of alteration. I see opposite to me a Member of the Commission who has taken a great interest in this question ever since he entered the House of Commons, and I believe that he and all those who desire the abolition of the punishment of death agreed that a considerable change in the state of the law was desirable. [Mr. Ewart : Hear, hear !] The Commission came to the conclusion that it was advisable that heinous and aggravated cases of murder should be separated from those which are less deliberate and founded on constructive malice. The House will bear in mind that the strict definition of murder is the "unlawful killing of any person with malice aforethought ;" and the malice, in the opinion of a great many able jurists, must be so express that it can be proved as a matter of fact, and not merely implied as a constructive inference from other acts consequent on the supposed wickedness of the person committing the offence. The Commissioners, in dealing with that view, point out the state of the law in several other countries with regard to murder—especially in America—and argue in favour of having the offence classed under two heads—murder in the first and murder in the second degree. The Bill founded on the Report of the Commission, and brought in last Session, was framed in accordance with that distinction. A very able debate took place in the House of Lords on the clause embracing that particular point, when thirty-eight voted in favour of the distinction and thirty-eight against it, and the Lord Chancellor, in accordance with the maxim *præsumitur pro negante,* withdrew the clause, and introduced another in a different form. That clause, when the Bill came down from the other House, contained the following definition of murder, which would be punishable by death :—

"No person shall, under any indictment or inquisition, be convicted or deemed guilty of murder, unless the jury by whom he is tried shall be satisfied that he intended to do grievous bodily harm endangering the life of the person whom he killed, or to do grievous bodily harm endangering the life of any person whatsoever."

On the part of the Government I had to consider whether, in point of fact, that definition would or would not carry into effect the view taken by the Commission; and also, whether there was not such an ambiguity in its terms that in many cases, assuming capital punishment still to be continued, it would not be deemed right that execution should follow. Now, I think it clear that there are several cases in which, whether according to that definition or not, you could not execute a convicted criminal; while yet they are cases in which the Commissioners intended that the capital sentence should be carried out. I will give the House two instances by way of illustrating my meaning. I will take the case of a garotter. He need not primarily intend to do bodily harm endangering the life of the person whom he assails—he may merely intend to disable him for a time for the purpose of robbing him, and the probability is that a jury would, in many instances, come to the conclusion that that was his intention. Again, let me suppose the case of chloroform being administered with the view of committing a rape. There may be in such a case no intention of doing grievous bodily harm endangering life. Now, I do not think it would be satisfactory to the community or sanctioned by public opinion that, so long as capital punishment is part of the law of England, we should not have the option of classing such crimes as those with others in which the infliction of capital punishment might be deemed to be necessary, I forebore, therefore, from proceeding with the Bill of last Session because I could not see my way to adopting the definition which was sent down to us from the House of Lords. Nor did I think it advisable to accept the line drawn by the Commissioners in classing the crime of murder into first and secondary degrees. Murder in either degree would still be looked upon as murder, and I doubt very much whether it would be rightly understood if we should endeavour to place that kind of crime under distinct heads or in different categories. The substantial object which the Commission had in view in their Report may probably be accomplished without adopting such a distinction which would not, I believe, recommend itself to the feeling of the country. What, under these circumstances, I propose to do, after due consideration, is to specify the cases of murder for which the punishment shall be capital, and, having specified those cases, to say that in all others a different punishment shall follow. The different cases of murder for which capital punishment will be inflicted, if the Bill becomes law, will be the following:—First, if any jury before whom any party is tried find that he committed the crime with the deliberate intention to kill or to do some grievous bodily harm to the person killed, or to kill or do some grievous bodily harm to some other person, I substitute the words "deliberate intention" for the words "express malice aforethought," because that is the definition of Sir Matthew Hale, and it seems to be open to less ambiguity. Secondly, capital punishment will be inflicted if a jury find that a man committed the crime with a view to, and in or immediately before or immediately after, the commission by himself of any of the following felonies:—Rape, burglary, robbery, piracy, or the felony of unlawfully and maliciously setting fire to any dwelling-house or any person therein. The third case in which the punishment of death will be inflicted is when a jury find that a man committed the crime for the purpose of thereby enabling himself or any other person to commit any of the above-mentioned felonies. The fourth case in which capital punishment will be applicable is when a jury find that a man committed the crime in the act of escape from, or for the purpose of thereby enabling himself or any other person to escape from or avoid lawful arrest, immediately after he or such other person has committed or attempted to commit murder or any of the above-mentioned felonies; and the last and fifth case for the infliction of capital punishment was suggested by the late Lord Chancellor, and it is the case with respect to which a jury shall find that a man murdered a constable or other peace officer acting in the discharge of his duty. These are the five and only cases in which, if this Bill passes into law, the crime of murder will be punished by death. The Bill goes on to provide that in any other case of murder the offender shall be liable, in the discretion of the court, to be kept in penal servitude for life, or for any term of not less than seven years. Such are the alterations proposed in the Bill with reference to the punishment of the crime of murder. It will be punishable by death in five cases, and in five cases only. No doubt there are some who think that the punishment of death should be absolutely abolished, and four Commissioners added a paragraph to the Report to that effect. Those hon. Members who entertain that opinion will have an opportunity to take a discussion on the subject in the simplest form when that part of the Bill shall come on for consideration. Another part of the Bill I am now asking to bring in relates to what is commonly called infanticide. I do not anticipate any great objection to this part of the measure. It is quite clear that the crime of infanticide very often goes unpunished because a conviction may be followed by capital punishment, and it is probable that a less punishment, such as penal servitude, will be more likely to secure convictions, and so operate as an increased protection to the lives of innocent infants. The only other clause to which I need refer is a restriction of the law which enabled a Judge to abstain on a conviction for murder from pronouncing judgment of death, and in that case judgment of death be recorded against the offender.

With respect to the other measure which it is my intention to ask leave to introduce, I may here state that it has for its object the carrying into execution capital punishments within prisons, and it follows very closely the recommendations contained in the Commissioner's Report. The main question which will arise in connection with this measure is whether due securities are taken for carrying out the execution with propriety, and in a manner which will satisfy the law, leaving no doubt that the execution has taken place. It is provided that certain officers of the gaol shall be present at every execution; and there is power given in the Bill to the visiting justices to authorize the admission into a prison where any execution takes place of the relatives and friends of the criminal, in order that they may see the way in which the sentence is carried into effect. The Bill requires the surgeon of the prison to certify to the death, and a coroner's inquisition is to be held after each case of execution. With all these securities it seems to me that the community may feel complete confidence as to the way in which the execution is carried into effect. Those of the Commissioners who object to capital punishment have objected also to private executions. But I cannot help thinking that the little good which results from such scenes as occur at a public execution—false heroism which the criminal puts on, and the morbid sympathy which is sometimes felt for him—constitute reasons of the strongest kind for changing the law in this respect; while the knowledge that the punishment is duly and properly and certainly inflicted will strike more terror, by way of example, than that which arises from the brutal horrors of a public execution. The right hon. Gentleman concluded by moving for leave to introduce a Bill for amending the law relating to murder, and for giving further protection to new-born children.

MR. BRIGHT: I was one of the Members of the Commission upon whose Report this Bill has been introduced into the House; and I cannot help saying that I am sorry the right hon. Gentleman has thought it necessary to change the form of doing that which I understand he wishes to do, and which the Commission wished to do—that is, to except a considerable number of cases, hitherto capitally punishable, from the punishment of death. The question was discussed in the Commission very fully on several occasions, and on one occasion the Commissioners came to the opinion that it would be better not to have two classes of the crime of murder. Afterwards dissatisfaction was expressed because it was believed that, leaving the crime still to be only one class, there would be great difficulty in making the real change in the administration of the law which the Commission desired. Therefore the first Resolution to which they had come was abandoned, and another Resolution was passed, after much consideration, that two classes of murder should be established. I was one of those who was opposed to the first Resolution, and who supported the decision which was afterwards arrived at. I did so on this ground—and I think the Commissioners came to that conclusion—that it was desirable that the jury should be permitted to decide distinctly this fact—whether the given crime was a murder of the first class or a murder of the second class. If it was of the first class, it would be in the position that all murders are in now, and the capital sentence would be executed unless the Home Secretary thought proper to interfere. At present there is no doubt whatever that there is the greatest possible and painful irregularity in the final determination in what cases the sentence shall be carried out. Notwithstanding that the right hon. Gentleman proposes to do—as far as I could gather from what he said—exactly what I want, and what the Commissioners wanted, I do not think he does it—as far as I comprehended from the explanation which he has given us. I am glad he alters the law in this respect, that instead of that monstrous interpretation of what is called malice, which is really Judge-made law, we are to have what is described as "deliberative intention." Assuming the act to have been committed, the jury must bring in a verdict of either murder, manslaughter, or justifiable homicide. Putting the latter out of the question, and remembering that manslaughter remains where it is, we come to murder, and that is left pretty much as it is now. The jury cannot say whether it is a murder of the first class, or whether it is a murder of the second class, and therefore is not capital. As I understood the right hon. Gentleman, the jury, if it be murder, must bring in a verdict of murder, and the sentence will be determined either by some explanatory words which the jury may add, or by the decision of the Judge as to whether there was sufficient deliberativeness to make it what I shall call a classified murder. The object of the Commission was to do something like what there is in France, though not exactly like that system. In France, the juries in general being opposed to capital punishment will bring in a verdict, in a case of murder, "with extenuating circumstances," and in that case the crime is not capital. The Commissioners were of opinion, and I agreed with them in that opinion, that this was not a desirable thing to introduce here. It was better that the law should be more definite. At the same time, we were anxious that the law should be so fixed that every jury, in coming to a verdict, should know exactly into what list they were putting the crime and into what risk they were putting the prisoner. Unless I have misunderstood the right hon. Gentleman—and I hope I have—the jury will be left almost in the position they are now in; and they will be only taken out of it by the decision of the Judge in the particular case. I should be glad to take a good many of these things out of the hands of the Judges. They are by no means infallible, and some are less wise than others. We have seen, within two or three years, one case especially, in which, owing to the course of the Judge, a man was hanged in this city whose case infinitely less called for capital punishment than many others to whom mercy has been extended. I am altogether against leaving the whole decision of these questions to these Judges. It was the object of the Commissioners to leave it to the jury; and unless the right hon. Gentleman can show that the object of the Commission in giving an absolute decision as to which list the criminal should be put in is wrong, I should be sorry to give my sanction to the alteration which he has made in the Bill which he is about to introduce.

Mr. EWART said, he was very much disposed to agree with the observations of his hon. Friend who had just sat down. The two classes of murder should be distinctly defined, and should not be left to the discretion of the Judge. He had always maintained the expediency of abolishing the punishment of death entirely, and most probably he should again submit to the House a Motion to that effect. With regard to executions within the prison walls, the fact of being private would add to the interest excited in the public mind; and as the press would give every detail of the conduct of the prisoner, there was great danger lest the felon should be made into a hero. He thought the right hon. Gentleman had done well to adopt the definition of the House of Lords; but he considered with Sir FitzRoy Kelly that, resort to what contrivances they might, they never would arrive at a solution of this question without abolishing the punishment of death altogether.

Mr. GILPIN said, he did not mean to oppose the introduction of a Bill which came to them on the responsibility of the Government; but he must, even at that early stage, enter his protest against the retention of the punishment of death. The subject was thoroughly understood outside the House, and the great mass of the people were disgusted to see the Legislature still discussing the propriety of putting men and women to death, whether publicly or privately, and still viewing the penalty of death as a deterrent punishment, which the experience of ages had proved the contrary. But further, they were now called on, whilst retaining the capital punishment, to deprive it of its public character, which was considered to work so well in the way of example. He believed it was a great and ghastly blunder this putting of men and women to death in order to teach others the sanctity of human life—it was discreditable alike to our intelligence and our Christianity. He believed the time would shortly arrive when, instead of tampering with the law, the House would see the propriety of altogether abolishing the punishment of death.

Sir GEORGE GREY said, as the right hon. Gentleman had pointed out that there would be opportunities for fully discussing the subject on the second reading and in Committee, those who were opposed to the punishment of death would not in the least degree advance their views by opposing the introduction of the Bill. As he understood, the Bill was substantially the same as that which was brought in by the late Government last Session and passed through the House of Lords, founded on the Report of the Commission, which had paid the greatest attention to the subject and made a very valuable Report. He therefore thought the Bill should be received by the House with favour. With regard to the alteration made, it did not strike him as an improvement. Great advantage would have been secured if the division of murder into two degrees had been retained, allowing juries to decide into which class the criminal should fall; and this would have removed what was the necessary consequence of the present law—namely, the frequent interference of the prerogative of the Crown, after a review of the evidence and consultation with the Judge. The fewer of these cases the better; the more certainty in the administration of the law the better; and that certainty would have been secured in a much greater degree if the distinction to which he had referred had been retained. He did not clearly understand what part the jury would have in pronouncing to what category the criminal should belong; but it would be better to wait till the Bill was printed to see whether there was any substantial practical difference between the two proposals. With regard to the second Bill, the great argument that weighed with him in favour of executions, not strictly speaking "private," but within the walls of prisons, was derived from the Australian colonies, where the practice was attended with complete success, while the scandal of public executions was obviated.

Mr. HIBBERT believed that the country generally would cordially approve of the Bill which the right hon. Gentleman had just laid on the table—the feeling of the country had gradually become stronger and stronger on this subject. He could not help expressing his surprise at the argument of the hon. Gentleman that executions within the precincts of the gaol would not be of any value as examples. On the contrary, he thought they would be even more deterrent than when they were made public spectacles. The first execution in Manchester lately took place, and there was a concourse of 20,000 or 30,000 spectators to witness it; and there was no person in that large city whose opinion was not that executions ought to take place private, and should no longer be made public spectacles.

Mr. HENLEY hoped that if the Bill passed it would rest with the jury, clear of all misunderstanding, to say whether a prisoner was or was not guilty of murder, in the first or in the second degree—that they should be made clearly to understand and pronounce of what offence they were finding a man guilty. It seemed to him that the definition of the offence was wholly changed, and he hoped that change would not lead them into the position that they should be attaching the penalty of death to a crime which was not murder according to the old definition of the term. For his own part, he was one of those who wished to get rid of capital punishment altogether. We were fast approaching that now. So much success had attended the abolition of capital punishment for various classes of offences that it was a great inducement to follow in that course, and he did not think that in cases where the extreme penalty of the law had been abolished for any description of crime it had been followed by any increase in that particular description of crime. Another reason that weighed with him was that there was at present no secondary punishment for an offence that was not exactly murder, but which was next door to it, except by inflicting the same punishment as that meted out to the man who had committed a number of repeated petty felonies—so many years' penal servitude. He regarded that as a misfortune of the law, which he hoped would be remedied. When the Bill was before them, however, they would be better able to judge to what extent these various questions were affected.

Mr. NEATE thought that the Bill did not carry out so well the intentions of the Commission as that which had been introduced by the late Government had done; but since a discretion as to the class of offence must be left somewhere he preferred to leave it with the jury. He should oppose the Bill when it came before the House for discussion.

MR. BAXTER wished to know whether the provisions of the Bill were to extend to Scotland and Ireland as well as to England?

MR. WALPOLE said, that the Bill was only intended to apply to England. As, however, there was a difference between the Scotch and the English criminal law, he thought it would be better if a separate Bill could be introduced to Scotland. In answer to the observations of several hon. Members, he had to state that it was intended in every case that the jury and not the Judge should find the "deliberate intention" to murder. The Bill is drawn up in accordance with the recommendations of the Commission, and the only case which is added to the list of capital offences is that of the murder of a policeman in the execution of his duty. If, in the opinion of hon. Members the Bill failed to carry out the intention of the framers, he had no objection to its being amended.

MR. M'LAREN urged, in the strongest possible manner, upon the right hon. Gentleman the Home Secretary that he should include Scotland within the operation of the Bill. The question of capital punishment had long been a question upon which great interest was excited in Scotland, and he himself, twenty years ago, had signed a petition to this House praying for the abolition of capital punishment altogether. Any modification in the law proposed for England should, he thought, be extended also to Scotland. It was a mere matter of framing two or three clauses, and he objected to the principle of passing an Act of this kind which should be applicable only to England. The Law Officers of the Crown were competent to frame two or three clauses that would be sufficient, and he hoped, therefore, that they would be introduced.

MR. BRIGHT wished to know if the Bill would apply to Ireland?

MR. WALPOLE said, it would; and, with regard to Scotland, he would be willing either to bring in a separate Bill for that country, or to insert such clauses in the present Bill as would be sufficient for that purpose. But upon that he must consult the Scotch Law Officers.

Motion *agreed to*.

Bill for amending the Law relating to Murder, and for giving further protection to New-born Children, *ordered* to be brought in by Mr. Secretary WALPOLE, Mr. ATTORNEY GENERAL, Mr. SOLICITOR GENERAL.

Bill *presented*, and read the first time. [Bill 25.]

CAPITAL PUNISHMENTS WITHIN PRISONS BILL.

Bill to provide for the carrying into effect Capital Punishments within Prisons, *ordered* to be brought in by Mr. Secretary WALPOLE, Mr. ATTORNEY GENERAL, and Mr. SOLICITOR GENERAL.

Bill *presented*, and read the first time. [Bill 24.]

MILITARY AT ELECTIONS (IRELAND) BILL.

On Motion of Mr. Serjeant BARRY, Bill to extend to Ireland the existing Law of England, respecting the presence of Military at Parliamentary Elections, *ordered* to be brought in by Mr. Serjeant BARRY, Major ESMONDE, and Mr. O'BEIRNE.

Bill *presented*, and read the first time. [Bill 23.]

House adjourned at a quarter after Seven o'clock.

HOUSE OF LORDS,

Friday, February 15, 1867.

MINUTES.]—SELECT COMMITTEE—On Traffic Regulation (Metropolis) *nominated*.

PUBLIC BILLS—*First Reading*—Recovery of Certain Debts (Scotland)* (14); Consecration of Churchyards* (15).

PAMPHLET OF MR. R. S. FRANCE.

PERSONAL EXPLANATION.

LORD REDESDALE said, he had received a communication from Mr. France which removed a great deal of the objecttionable matter of which he had to complain when last he troubled their Lordships upon this subject. It appeared that he and Mr. France had been speaking of different Bills, and accordingly he desired now openly and publicly to withdraw the charge relating to one of these measures which he had made against that gentleman. As regarded the other it came before him as an unopposed Bill and of course he dealt with it as such. The clause which he introduced was the commonest of all clauses, and the restriction which it imposed was simply upon taking any other lands of the railway company than were required for the purpose of making the junction. The wording of that clause had not been stated with perfect accuracy in the pamphlet; but Mr. France would take the proper steps to remove any false impression which might have been created.

DISTURBANCES IN IRELAND.

QUESTION.

THE EARL OF SHAFTESBURY: I wish to ask Her Majesty's Government, Whether they have received any further intelligence relative to the Fenian outbreak and the state of Ireland? For my part, I must say that I think that nothing shows more clearly the uncivilized and anti-social nature of this movement than the fact, which we have reported upon very good authority, that the shore wires of the Atlantic telegraph have been cut.

THE EARL OF DERBY: The noble Earl has not given me any notice of his Question; but, in point of fact, we have not received any information of the Atlantic Cable having been cut, and I have no reason to believe that it has been done. As to the other part of the noble Earl's Question, the only other information we have received is that the body of insurgents, as they call themselves, variously stated at from 400 to 800 in number, began to retire the moment they heard that regular troops were in motion against them, that they have taken refuge in a wood, where preparations are being made for surrounding them, and that great hopes are entertained of the whole body being dispersed or captured.

EMPLOYMENT OF VOLUNTEERS IN CIVIL DISTURBANCES.

QUESTION.

LORD VIVIAN asked the Under Secretary for the Home Department to explain the reply given by the Home Office to the Mayor of Chester in answer to his request for information as to the capacity of Volunteers to act in their military capacity under the direction of the civil authorities. The reply given was that the Volunteers could not be called out in their military capacity to aid in the preservation of the public peace, but that in case of emergency the Volunteers might be called out as special constables, and, in case of emergency, would be justified in using their arms. That might be the law; but, if so, he ventured to think it a state of law very much to be deprecated, and he asked whether the Government had under their consideration any proposal to amend it so as to enable the Volunteers to act, like the yeomanry, in their military capacity if called upon? The civil authorities should know whether or not they had the power to call out the Volunteers to act with them. If the telegraphic wires had been cut, the civil authorities at Chester might have been placed in considerable difficulty before receiving instructions from the Home Office. Outrages might arise in many parts of the country, and therefore he thought the civil authorities ought to be informed as to the duties of the Volunteers. He hoped that if it should be necessary an Order in Council would be made or a short Act passed to enable the civil authorities to call out the Volunteers. He felt that the Volunteers were as amenable to discipline as most troops of the line, and if they were to use their arms at all, it should be under the command of their officers, and they should not be left to their own guidance to act in any way they might think proper in quelling a riot.

THE EARL OF BELMORE: The answer I have to give is this. The only occasion on which the Volunteer Corps can by law be called out for military service is in case of actual or apprehended invasion of any part of the coasts of the United Kingdom. Except in that case, therefore, they cannot be called out in their military character. But as civilians acting as special constables they may be called upon to aid the civil power in quelling disturbances, and in cases of emergency there would be no objection to their using their arms, as I suppose anybody else would be justified in using arms under similar circumstances. The Government at present has no intention of proposing a Bill for altering the law in this respect.

LORD VIVIAN inquired whether the Volunteers acting as special constables could move as an embodied force under their officers?

EARL DE GREY AND RIPON: It appears to me that the reply of the noble Earl (the Earl of Belmore) has placed this question in an unsatisfactory position. In the Volunteer Act of 1863, as introduced by Lord Palmerston's Government, there was a clause founded upon the then existing law as contained in the original Volunteer and Yeomanry Act, by which power was given to lords-lieutenant to call out Volunteer Corps in aid of the civil power with the sanction of the Secretary of State. That clause was struck out in the House of Commons; and, as the law now stands, there is no power to employ Volunteer Corps for the suppression of civil disturbances. It is quite true, as stated by the noble Earl, that Volunteers, like any other of Her Majesty's subjects, may be sworn in as special constables, and may act in the same way as any other special constables; but to go beyond this and to issue to them their Government arms and ammunition would raise a new question, which would, as it seems to me, require serious consideration. I will not express a positive opinion upon the subject at this moment; but it is clearly one upon which no doubt ought to exist, and I trust that the Government will re-consider the matter, and will take steps to remove the doubts, in which it is now involved, in consequence of the novel view which appears to be taken of it by the Home Department.

EARL GREY: I wish to ask whether, in striking out the clause alluded to, it was not the intention of the other House to relieve the Volunteers from the obligation of serving except in case of invasion; and whether it is not lawful for the civil powers to call upon the Volunteers to quell an insurrection, although it is equally lawful for the Volunteers to decline to respond to the call, and indeed any call except in case of actual invasion by a foreign Power. I am persuaded that the moment there was any real danger apprehended from local disturbance the Volunteers would willingly respond to the call of the civil power; and I quite agree with the proposition of the noble Lord who introduced the subject, that if they come at all, with arms in their hands, they should come as an organized body, and with officers commanding them, and not as individuals. But this is, I think, a most objectionable mode of viewing the matter. It is highly desirable to know whether the lords-lieutenant of counties would be justified in calling on officers of Volunteers to bring out their corps, with the understanding that it is not obligatory on the men to attend.

THE EARL OF MALMESBURY did not wish to lay down the law, but he would tell their Lordships what occurred in 1830, under circumstances similar to those of the present time. In 1830 there were very serious riots in the South of England, especially in his own neighbourhood, where farmhouses and ricks were burned, and where, indeed, there was a sort of rebellion. There were no troops whatever at hand, and special constables were sworn in to the number of many hundreds, and each was allowed to arm himself as he chose; some had guns, some swords, and some pistols. They were a most motley set, but they used their weapons effectually, and the riots were suppressed, and these proceedings were held to be legal.

THE EARL OF ELLENBOROUGH said, he apprehended that there was nothing whatever in the circumstance of a man becoming a Volunteer to deprive him of any right that he had as a civilian, or to relieve him from any obligation he was under as such; and in cases in which the magistrates might call upon other civilians to preserve the Queen's peace they might also call upon Volunteers. And in every case in which civilians might use arms, Volunteers might also use them. He could hardly conceive that such a body of men as the Volunteers, if called out to suppress a riot, were not to avail themselves of their organization and act in the most efficient manner possible.

LORD LYTTELTON said, that the whole matter turned on the degree of emergency—for instance, the Volunteers would not be justified in assembling in arms to repress any common disturbance—while in extreme cases they would be justified in doing so.

LORD PORTMAN said, if the Volunteers were called out as civilians to assist in maintaining the peace, their arms would be in the depôts, and could not be taken from thence except by the order of the officer commanding. He thought that the notion that the Volunteers could go to take their arms otherwise than in accordance with the order of their officers would be likely to lead to very dangerous disturbances. On the other hand, if the officers were to order them to do so, they might be acting contrary to law. He thought, also, that the Volunteers ought to be kept only for the purpose for which they were embodied as Volunteers, and he would rather in an emergency of the same sort see the kind of force that had been referred to as acting in 1830, than that individual Volunteers should, at their instance, take their arms from the depôts. It ought not to be sanctioned that they might use the arms which had been furnished by the Government for any other purpose than to combat the enemies of the country. Nothing could be more dreadful in his opinion than to see one class set against another, as would be the case if Volunteers were called upon to suppress a revolt on the part of their every-day companions. With the military the case was different; they lived at a distance, and, in most cases, would be quite strangers in the town to which they were called.

THE EARL OF VERULAM recollected that when, in 1830, the civil force was marching upon a body of rioters they met the under sheriff, who gave them the authority of the High Sheriff for what they were doing; and he apprehended that it would be within the power of the High Sheriff to authorize any body of Volunteers to act as a *posse comitatûs* in case of emergency.

EARL COWPER said, he thought that the clause which the Commons had struck out was very wisely expunged. Many of their Lordships would remember that the use of the Yeomanry regiments in quelling riots in past times had made that force very unpopular in large towns. It might be very necessary that such a useful force as Volunteers should exist and lend their aid in quelling riots; but he should be very sorry if they obtained the same amount of unpopularity as the Yeomanry formerly did. This feeling was no doubt in some cases owing to petty jealousies existing between one class and another, but it was also owing to the recollection of the employment of the Yeomanry in former days. At this time the Volunteers were popular with all classes. He thought the Volunteers should not be called upon in their military capacity except for the purpose of preventing foreign invasion. There certainly might be circumstances in which the force might be required to act for the protection of the country, but he hoped they would not be employed to quell mere riots, nor to act as a body at all, but that they would act, if at all, as special constables simply.

VISCOUNT MELVILLE was of opinion that there was a great difference between the employment of the Yeomanry and the Volunteers; because, whenever the Yeomanry were called out, the men were paid for their services, and the Mutiny Act was read, while the Volunteers were, of course, subject to no such regulations.

THE DUKE OF CAMBRIDGE: My Lords, it is of the greatest possible importance to the interests of the country that this subject should be clearly understood. The military authorities have been, and are at this moment, placed in great difficulty, because they do not know exactly how they are situated. I cannot conceive any situation of greater complexity than that of the officer stationed the other day at Chester with his sixty men. He was not, of course, aware what was going to happen, and he did not know upon what assistance he could rely. The captain in command was not a local authority, and the Mayor was not able to decide how he should act. I should, therefore, like to know what the captain was to do in the emergency. Of course, as a military man, he would have been glad to have received all the assistance the Volunteers could have afforded him; but in doing so he might have committed an illegal act, have made himself amenable to the laws of his country, and might possibly have been tried for his life. I think, therefore, this question ought to be cleared from every shadow of ambiguity, and that the authorities should distinctly understand how they are to act with regard to the Volunteers should occasion require. I beg your Lordships to understand that I give no opinion upon the question of law; but it ought to be most clearly understood, and the clearest instructions ought to be given, not only to the lords-lieutenant of counties and the civil authorities, but also to those in command of the military, so that it may be clearly defined whether the Volunteers are in the position of mere special constables or are permitted to take arms in their hands. We have been told that they might use any arms which they might happen to possess; but even in that case the Government weapons would be chiefly employed, because great numbers of our Volunteers keep their arms at home. My noble Friend has referred to the circumstances of 1830, but it should be remembered that there were no Volunteers at that time. If the Volunteers are allowed to arm themselves, the result of course will be that they will make use of the best weapon in their possession, and will employ the public arms and ammunition; but it is doubtful whether or not they would be justified in using them. For my own part, I have very great doubts about it. At all events, it is a question which ought not to be left in this ambiguous position, and I therefore hope to see some regulations laid down in which the question will be dealt with, and the position of the Volunteers and the power of the civil and military authorities most clearly defined.

THE EARL OF MALMESBURY: My Lords, I am inclined to agree with the illustrious Duke, that there ought to be a clear understanding upon the subject, and I will take care that that shall be the case as far as the Government can deal with it. I may, perhaps, also say that I had not the slightest doubt about the matter. If a magistrate had come to me to ask me to arm the Volunteers under my command with the Government arms I should, undoubtedly, have refused to do so. The Act is as clear as anything can possibly be upon the point, and I always believed the Volunteers understood what their duties were under such circumstances. By becoming Volunteers they do not abdicate their rights or duties as citizens, and are liable to be sworn in as special constables, and when so sworn in would naturally be armed as special constables usually are armed. And I do not believe that there is any confusion upon the subject in the country. I never heard any Volunteer officer express a doubt upon it, and I, as a Volunteer officer, should refuse to give up the Government arms at the request of a magistrate.

THE DUKE OF CAMBRIDGE: I may point out that the question has arisen because the Mayor of Chester, the civil authority on the spot, did not know what to do, and telegraphed for instructions.

EARL GRANVILLE said, that at all events it was necessary that all ambiguity should be removed, for it was clear that at present no proper understanding existed on the subject.

EARL BEAUCHAMP hoped that in case such a state of things as had taken place at Chester recurred some power would be reserved to the civil authorities to use the arms lodged in the Volunteer depôt. Such a thing ought not, of course, to be done, except in great emergency; but when that emergency did occur there ought to be some power to turn to account the available resources of the country.

THE MARQUESS OF CLANRICARDE rose to order. There was no Question before their Lordships.

LORD DUNSANY observed, that 1,500 strangers had been assembled at Chester, presumably to commit high treason, but not a single arrest had been made. He did not blame the authorities for this, but he thought the circumstance suggested that there was some danger of extreme leniency in dealing with political crimes; indeed, in Ireland political crime had almost ceased to be regarded as crime. The leniency shown to political offenders had made it appear that high treason was about the safest thing in the world to indulge in; in fact, it required more courage to rob a henroost than to break into one of the Royal castles.

CHURCH OF ENGLAND IN THE COLONIES.

ADDRESS FOR PAPERS.

THE BISHOP OF LONDON, in moving an Address for certain Papers relating to the Church of England and Ireland in the Colonies, said, he might, perhaps, be permitted to state in a few words why he moved for these Papers at that period of the Session. Their Lordships would remember that when the subject was last brought forward there was a general impression of the want of information which existed as to the actual condition of our colonial Churches; and it was the general opinion that either by a Select Committee of their Lordships' House, or some other way, more accurate information ought to be obtained about our colonial Churches, and the feelings of the colonists upon their connection with the Church at home, before any legislation should be attempted. He did not intend to say that Her Majesty's Secretary of State had departed from the understanding then arrived at, but undoubtedly matters did not remain *in statu quo*, and considerable change had taken place; so that they ought as soon as possible to obtain such information as was necessary to the proper consideration of the subject. Their Lordships were aware that the colony of Natal was in a very curious state, and that in matters ecclesiastical nothing could be more unsatisfactory than the condition of the Church in that colony. Their Lordships were aware that the Bishop to whom he was referring had not only entirely lost the confidence of the great majority of the clergy of the diocese over which he had been sent to preside, but also that of the great majority of the clergy of the Church of England at home; and, in his opinion, there had been good reason for the withdrawal of that confidence, since the system of theology propounded by the Bishop of Natal was not such as should be held by the chief pastor of one of our colonial Churches. In fact, he might venture to quote the words addressed by a noble Duke to the Bishop of Natal, "My Lord, you have told us at very great length what you do not believe; it is high time you should tell us what you do believe." A great deal of excitement prevailed in reference to this matter in the colonial Church, and, in fact, generally throughout the colony. He saw from a manuscript journal kept by a young clergyman residing in that diocese that anything more painful than the party spirit existing in the colony with reference to this question could scarcely be conceived. He was bound to say that the party antagonistic to the Bishop did not appear to have shown any great wisdom in their actions, and he was sorry to find that the good cause had suffered from very bad handling. Under the circumstances to which he alluded, the Colonial Chaplain had thought himself justified in calling together a large assembly of the clergy of the diocese—excluding, of course, those who did not agree with his opinions —for the purpose of electing a successor to the Bishop of Natal, who still continued to hold Her Majesty's letters patent. It was needless to observe that a good deal of confusion had occurred on that occasion. Fourteen out of the eighteen clergy of the diocese having assembled, seven voted in favour of the appointment of a new Bishop —not exactly a new Bishop for the See of Natal, but a Bishop who should practically take the place of the Bishop of Natal—and seven against such a proceeding; whereupon the Colonial Chaplain gave a casting vote in favour of proceeding to an election. He merely stated these matters to show the existence of a very complicated state of things, which had changed greatly since the close of the last Session. How the difficulties which existed were to be got over he would not pretend to say. His right rev. Brother the Bishop of Oxford had wisely told those who were about to proceed with their election that they had better take no steps in the matter until all the legal questions had been settled. Unfortunately, at the very moment when the election was about to take place the despatch of the noble Earl (the Earl of Carnarvon) arrived, and was construed as giving some sanction to the proceedings. He had read the newspaper accounts of that despatch, and, if they were correct, that document did not appear to him to justify in any degree the construction that had been placed upon it; since it was based upon the sound principle that the Secretary of State would not interfere in any way in so delicate a matter. It was not for him to say whether it might not have been wiser on the part of the Secretary of State not to have answered the communications which had been addressed to him on the subject; but the letter appeared to have been based upon a right principle in saying that there were courts of law which could decide whether this gentleman was entitled to his salary; and if those courts did not put the question at rest there was their local Legislature, which could say whether the money voted for the salary of the Bishop had been misappropriated. He was therefore sure that the despatch had been misconstrued when it was said to have authorized the colonial clergy in proceeding to the election of a new Bishop. With regard to the second paper for which he moved—namely, the despatch of Her Majesty's Secretary of State for the Colonies to the Lord Bishop of Montreal, relating to the appointment of a coadjutor Bishop of Niagara, dated the 21st of November, 1866, he was ignorant of the grounds which had influenced the noble Earl in writing that despatch. According to the custom of the Church of England ever since the Reformation, no Bishop, either at home or in the colonies, can be consecrated without Her Majesty's licence or mandate, and there was a passage in the Prayer Book enforcing that regulation; the regulations of the Prayer Book were declared by the two Acts of Uniformity to be a part of the law of the land; and, therefore, before those regulations could be dispensed with, the colonial Legislature should state whether they intended to set aside the Act of Uniformity as regarded the Church of England in Canada. His impression was that the Canadian Legislature had bound themselves to follow the regulations of the Prayer Book, and that they had incorporated the Act of Uniformity in their laws. However that might be, he ventured to entertain an opinion that, whether legal or not, it was very undesirable in this particular instance to permit the Bishop to have been consecrated without Her Majesty's licence. He was aware that there were two cases in which Bishops had been consecrated without Her Majesty's licence. The first was that of Bishop Mackenzie, who laid down his life in the wilds of Southern Africa, and whose memory was mourned and regarded as sacred by a large portion of the Church of England; and the second was that of Bishop Patterson, who was entitled to the highest respect for his self-denying efforts in the conversion of uncivilized races of the South Seas. With the exception of these two cases there was no instance of a Bishop having been consecrated to a home, colonial, or missionary district without the Royal licence or mandate. Bishop Tozer was consecrated under what was called the Jerusalem Consecration Act. The Church of England in Canada had acquired great independence in consequence of the Acts of the local Legislature sanctioned by the Imperial Parliament, and by the approval of Her Majesty; still, up to the present time, no Bishop had ever been consecrated in Canada without the Royal licence. He had no doubt the Colonial Secretary had sufficient reasons for the course he had adopted; but he (the Bishop of London) thought it desirable it should be known what these reasons were, for he thought these were not times when it was desirable either for the clergy or laity that the Royal supremacy should be disregarded. He was aware that it would be said that once the Canadian Church had obtained the power of electing its own Bishops the granting a licence would be little more than a form; yet he ventured to hope that in a form of this kind some principle was involved, especially when it was the only remaining tie between the two Churches. It was most desirable to maintain the connection between the Colonial and Home Church. There was another point to which reference had been made. He quite agreed it was most important that a tribute should be paid to the supremacy of the law. People should not be encouraged to suppose that the law of a Christian country, sanctioned by the State, should be lightly set aside by those who pleaded what they were pleased to call "a higher law"—the higher law of the Church. The law passed by the Legislature of a Christian country, should have a binding force on the Church itself. There was another matter to which he must refer. He observed that the despatch was written on the 21st of November, and on the 5th of that month a most important judgment had been delivered in the Rolls' Court, where it was laid down that it was a mistake to suppose that confusion had been introduced by the decision of the Privy Council. In point of fact, according to that decision, as he understood it, a Bishop of the colonial Church, appointed under Her Majesty's letters patent, was very much the same as a Bishop at home. Her Majesty assigned him a district within which he should exercise his functions, and even where there was an independent Legislature the Bishop might exercise power over the Church, with only this difference, that he could only exercise coercive jurisdiction through the agency of the civil courts, which would consider the laws of the Church of England as part of the compact under which the clergyman and the Bishop had respectively acquired their several positions. Now, the words of the statute, according to the authority of the Law Officers of the Crown, seemed to be in exact contradiction of that decision. The decision of the Master of the Rolls had not been disputed; no appeal had been taken, and it might be supposed by some that such was the law of the land. It was somewhat curious, however, that the despatch made no reference to that judgment, which had been given a short time before it was written. He wished to say a few words on the subject of another paper for which he had moved. He was afraid the noble Earl (the Earl of Carnarvon) would hardly be able to produce all the papers, because, as he had been informed, the Returns were yet imperfect; but if those which were in the Office were produced, they would form a very satisfactory contribution towards the solution of this great question. During the recess he had written a great many letters to the colonial Bishops and others connected with the colonies, that he might obtain information for himself and his right rev. Brethern with respect to the present complicated state of affairs in the colonial Church. He had received answers to his letters from upwards of twenty dioceses; and he could state that there was by no means that unanimity on the part of the colonial churches, which had been represented last Session, as to the desirableness of separating from the Church of the mother country. In fact, it would be found that the majority was against that principle. It was by no means the feeling of those most interested in the welfare of the colonial Church. They understood what the Church at home was, and they had no desire to separate themselves from the system under which they and their fathers had lived. He believed nothing was held so sacred by the colonial Churches as their connection with the Church at home. Even the Metropolitical Churches had no general desire to separate from the home Church. The Metropolitical Churches were Canada, India, New Zealand, South Africa, and Australia. With regard to Canada, its position was so peculiar that it was to be expected that almost absolute independence would be claimed by the Church in that colony. In New Zealand it was said there had been a movement on the part of the Bishops to declare the Church altogether independent;

but they had yet to learn that this step of the Bishops had been sanctioned by the Church of New Zealand. One of the Bishops, in a letter to him, had characterized the step as a most mischievous one. With regard to India, the last letter he had received from that eminent, large-hearted, and wise man, whose loss the whole Church was now mourning—he meant the late Metropolitan of India, Dr. Cotton—stated that he trusted, whatever was done elsewhere, no such principle would be introduced into the Church of India. The Bishop of Ceylon also wrote to him saying that it was entirely a mistake to suppose that the Church of India wished to be separated from the Church at home. With respect to Australia, which from many circumstances was supposed to be hostile to the connection with the Established Church of England and Ireland, it was his impression from letters he had received that there existed in that dependency the strongest feeling for the maintenance of that connection. He had letters sent from the diocese of Adelaide and from the diocese of Melbourne, and he would read certain resolutions adopted at a Church meeting in Melbourne. They were in these terms—

> "That in the opinion of the assembly any Imperial legislation calculated to loosen the connection between the United Church of England and Ireland and the body of Christians in Victoria professing to belong to that Church would be highly injurious. That in the opinion of this assembly the principal points to be kept in view towards maintaining such connection are,—1. The preservation of the Church in this colony as an integral portion of the United Church of England and Ireland, although not connected with the State as an Established Church. 2. The appointment of Bishops to the United Church of England and Ireland in Victoria, according to a uniform rule, so as to avoid the danger of several individuals claiming simultaneously to be Bishops of the same diocese. 3. An appeal in all ecclesiastical causes to the supreme ecclesiastical tribunal of the United Church of England and Ireland."

He thought, then, that he had a right to say that it was requisite to have this great question clearly settled. It would be satisfactory if before the close of the Session some of the high legal authorities in their Lordships' House would state what was the real and actual condition of the Church of England in their several colonies. The right rev. Prelate concluded by moving an Address for—

Despatch of Her Majesty's Secretary of State for the Colonies to the Officer administering the Government of Natal on the subject of the Colonial Chaplaincy in that Colony, dated 12th August, 1866: Also,

Despatch of Her Majesty's Secretary of State for the Colonies to the Lord Bishop of Montreal relating to the appointment of a Coadjutor Bishop of Niagara, dated 21st November, 1866: And also,

Copies of any Returns which have been made in answer to Questions lately issued by Her Majesty's Secretary of State in reference to the Condition and Circumstances of the United Church of England and Ireland in the Colonies.—(*The Bishop of London.*)

THE EARL OF CARNARVON said, he had no objection to produce the Papers for which the right rev. Prelate had moved. The Returns were not in a complete state; but he should be happy to lay on the table such of them as were in the possession of the Colonial Office. In reference, however, to what had fallen from the right rev. Prelate, he was not prepared to admit that there was an understanding last Session that this matter should be submitted to the consideration of a Committee. A question was indeed asked with respect to a Bill brought in by his right hon. Predecessor in the Colonial Office, and he then stated that he would not proceed with that Bill, but that during the recess he would consider the propriety of legislation on the subject, and would be prepared in the present Session to state what course he would pursue. He now took this opportunity of giving notice that he would very shortly lay before the House a measure which would deal with the principal difficulties which, in his opinion, were to be contended with in reference to the condition of the Church in the colonies; and it would then be for the House to determine whether that measure was sufficient for the purpose, or whether it would be desirable to appoint a Committee or take any other step. The right rev. Prelate (the Bishop of London) stated that in the course of the autumn he had issued circular letters to the colonial Bishops and to some other persons. He had no doubt that the drawing up of those communications was very carefully considered, not only by the right rev. Prelate, but by other Members of the right rev. Bench. But after the statement just made, he should be glad to see the letters, and to know the colonies to which they were addressed;—for, as their Lordships were aware, there was a material difference in respect to this matter between Crown colonies and other colonies; and to know to what other persons they were sent besides the colonial Bishops. The right rev. Prelate had moved for a copy of the despatch addressed to the Lieutenant Governor of Natal respecting transactions which arose in that colony, and had also asked whether the despatch to which that was an answer could be produced. If he remembered rightly, the last-mentioned despatch was addressed to his predecessor in office, and he was not prepared to say off-hand how far it was possible to produce it; but he should be very happy to lay it on the table if he found that there was no objection to its production. He would state the circumstances under which his own despatch was written. In consequence of certain writings, believed to be of an heretical tendency, Bishop Gray, in his supposed capacity of Metropolitan, pronounced a decree of deposition upon Dr. Colenso in his supposed capacity of suffragan Bishop. The question came by reference before the Judicial Committee of the Privy Council, and by the judgment of that tribunal the deposition was declared to be invalid. Failing therefore in this, Bishop Gray had recourse to the spiritual and only remaining weapon at his command, and pronounced a sentence of excommunication upon Dr. Colenso. Mr. Green, dean of the cathedral and Colonial Chaplain, to whose office a salary of £100 was attached by vote of the local Legislature, in obedience to the orders of Bishop Gray, published the sentence of excommunication, and refused to hold intercourse with Dr. Colenso as his spiritual superior. On this Dr. Colenso applied to the civil authorities to mulct Mr. Green of his salary, and to enforce obedience to him by deprivation. That application he (the Earl of Carnarvon) declined to endorse. It was, fortunately, not his duty to interfere in this most unhappy dissension, and he was not prepared to set in motion the secular arm at Dr. Colenso's request, and to curtail the clergy of Natal of any liberty which the recent judgment of the Privy Council had conferred upon them, either in acknowledging or in not acknowledging Dr. Colenso as their spiritual superior. But he could not leave this part of the question without bearing his testimony to the unhappy and most mischievous position of affairs at the Cape on this question. That position was greatly aggravated by the perplexity that now beset the legal bearings of the case. There were no less than three most important judgments pronounced by three eminent Members of their Lordships' House, all upon ecclesiastical questions, and all at the Cape of Good Hope. In Long's Case Lord Kingsdown laid down the law that the Church of England, in the colony in which the case arose, stood in precisely the same position as the Church of any other denomination of Christians—neither in a better nor a worse; and that differences between the Bishop and the clergy must be decided by reference to the civil courts upon the principle of a contract, expressed or implied, and exactly as the case of a Wesleyan or Roman Catholic body would be decided by a reference to the terms of the trust-deed. That judgment was perfectly clear and intelligible. Again, there was, two years ago, a second judgment pronounced by the Judicial Committee of the Privy Council, with the principles laid down in which their Lordships were familiar. Those principles were that, in a colony which happened to be possessed of an independent Legislature antecedent to the issue of letters patent, it was not competent for the Crown to create a bishopric with a territorial sphere of action, and that, even assuming it to be competent to it to create such a bishopric, it was impossible for it to convey to the Bishop any coercive authority or jurisdiction. That judgment, also, was perfectly clear and intelligible. But within the last few months a judgment had been pronounced by the noble and learned Lord the Master of the Rolls which he did not think he mis-interpreted when he spoke of it as laying down the doctrine that it was competent for the Crown to create a bishopric in such a colony; and that, although it might not be possible for it to confer coercive power on the Bishop, yet that he would have recourse to the civil courts of the colony for the purpose of enforcing obedience to his orders. In fact, that judgment went to lay down the principle broadly and distinctly that the Bishops of the Established Church of England and Ireland, and the Bishops of the Anglican Church, as it was called in the colonies, differed from one another in no other respect than that the former had the Ecclesiastical Courts to fall back upon, and the other the colonial courts. He (the Earl of Carnarvon) would not have the presumption to set up his own opinion on the subject; but it was, he contended, in the opinion of ninety-nine laymen out of every hundred—he should hardly be far wrong if he added, in the opinion of ninety-nine out of every hundred lawyers also—impossible to reconcile that judgment with the others to which he had just referred. Indeed, it appeared to him that there was a conflict between them as great as the English language was capable of expressing. It would, under those circumstances, he thought, be very desirable that we should have some light thrown upon the subject, and see whether these judgments were actually at variance, for the matter involved the highest interests of both the clergy and the laity. Having said thus much with respect to the question of Natal, he should next touch upon the last point which the right rev. Prelate had brought under the notice of the House—the letter to the Bishop of Montreal relative to the appointment of a coadjutor Bishop of Niagara, for which he had moved. On that point the right rev. Prelate had taken him rather severely to task, and he felt it therefore necessary to explain to the House the circumstances under which that letter was written. The Bishop of Toronto being, as he believed, of great age and infirm in health, had become unequal to the discharge of the duties of his diocese. He had accordingly been informed by the Bishop of Montreal that a coadjutor Bishop had been elected by the Diocesan Synod of Toronto, and it was proposed to him that he should advise the Crown to issue the usual mandate for his appointment. He (the Earl of Carnarvon), however, declined to issue that mandate, and the right rev. Prelate complained that in doing so he had been guilty of a great error. Now, he had been induced to act as he had done in the matter, after giving the matter very great consideration, first of all, because the position of the Canadian Church was a peculiar one, amounting, in fact, to one of virtual independence. It had been the gradual growth of years. In 1851 an Act was passed which, after reciting in the preamble that the recognition of equality among all religious denominations was a principle of colonial legislation, proceeded to make several enactments taking away from the Crown certain powers. In 1854 another Act was passed, in the third clause of which it was distinctly laid down that it was desirable to remove in the colony all connection between Church and State. That Act of 1854, he might add, was no other than that which provided for the secularization of the clergy reserves in Canada. In consequence of that Act Mr. Labouchere, then Secretary of State, pointed out in a despatch to Sir Edmund Head, Governor General of Canada, the fairness and expediency of removing all restrictions upon the Church now that all advantages had been taken away. Accordingly, two years after another Act was passed giving the Church in that colony the most complete and ample powers of self-government. It was the charter of the Canadian Church: it enabled the Church to adopt regulations for the enforcement of discipline, and for the appointment, deposition, deprivation, or removal of any person holding office therein. The Act was somewhat new at the time of its passing, and some doubts existed as to its validity, and the unusual course was adopted of sending it by reference to the Privy Council. Before that tribunal the case was argued by two eminent lawyers—the present Attorney General and Sir Roundell Palmer, and the result was that the validity of the Act was confirmed and that it received the sanction of Her Majesty.

Lord TAUNTON: Was not the reference to the Judicial Committee of the Privy Council?

The Earl of CARNARVON: Yes, and ever since the passing of the Act Bishops had been elected with complete freedom, and the fullest measure of Church government in Church matters has not only been accorded to but actually enjoyed by the Church in Canada. Letters patent and the mandate still continued, however, as part of the procedure; but successive Law Officers, having regard to the facts which he had just mentioned, had raised objection to the issue of letters patent as being no longer necessary—delay and inconvenience were found to attend their issue; and accordingly, in 1863, they were abandoned by the late Duke of Newcastle, and nothing but the mandate remained. Looking, then, to the complete independence of the Church of Canada, and the circumstances which he had stated, he (the Earl of Carnarvon) had declined to advise the Crown to issue the mandate in the case to which the right rev. Prelate had called their Lordships' attention. There were other considerations, also, which he thought justified him in taking that course. He had to take into account the recent judgment pronounced by the Judicial Committee of the Privy Council, and to bear in mind that that judgment declared that in colonies possessing an independent Legislature—as Canada did—it was beyond the competence of the Crown to create any bishopric with a territorial sphere of action. He could, under those circumstances, only come to one conclusion, and that was, that it was not the part of the Crown to interfere in the creation of a new Bishop or bishopric in the present instance; and that it was not consistent with the dignity of the Crown that he should advise Her Majesty to issue a mandate which was not worth the paper on which it was written, and which, if sent out to Canada, might be disregarded. The right rev. Prelate appeared to attach great weight to the issue of those mandates; but he (the Earl of Carnarvon) did not think it was really of so much importance as he seemed to imagine. The mandate was obligatory under the rubric, and the rubric was binding under the Act of Uniformity. That Act was, no doubt, very binding in this country; but when the right rev. Prelate said that it was of full force in the colonies, he stated that which he (the Earl of Carnarvon) believed no constitutional lawyer would endorse. The mandate for the consecration of a Bishop here was a very different document from that which was applicable there. The mandate for the consecration of a Bishop in this country was regulated by the Statute of Henry VIII. That Act laid down a long series of proceedings. It provided for the Royal Licence, the letters missive, and lastly, the mandate. But when a Bishop was consecrated in the colonies, there being no dean and chapter, there could be no *congé d'élire,* there were no letters missive; and hence portions were struck out of the mandate, and the mandate itself would go out altogether a different document. And, therefore, if the right rev. Prelate relied on that Act as making it necessary to issue a mandate, the Act proved a great deal too much, for it also made necessary the Royal Licence and letters dimissory. Throughout the whole of this matter, which he well knew deserved careful attention, he had acted under the guidance of the Law Officers of the Crown; and so anxious had he been to obtain their full concurrence that when the recent judgment was given by the noble and learned Lord the Master of the Rolls, he referred the case back again to the Law Officers, before writing to the Bishop of Montreal, in order that there might be no danger of mistake in the matter. The opinion of the Law Officers only referred to the case of the Canadian Church, but he had no reason to doubt that it was equally applicable to other Churches similarly circumstanced; and, without pledging himself to adopt any particular line of action, he entertained little doubt that in a similar case he should act upon precisely similar principles. There was this distinction to be observed: if it were desired that the consecration of a colonial Bishop should take place in England, then he freely admitted that the Royal mandate must be issued to the Archbishop, in order to untie the hands of the Archbishop and to enable him to perform the office; but if the consecration was to be in the colonies, as in this Canadian case, then he should not advise the Crown to issue the mandate. He would have been glad to pause here; but he was bound to say two or three words upon another point raised in the course of the debate. The right rev. Prelate who had moved for these documents had found great fault with him on account of some supposed desire on his part to separate the colonial Church from the Church as by law established in this country. He (the Earl of Carnarvon) begged to assure the right rev. Prelate that he was actuated by no such desire; he simply accepted things as he found them; and in all civil and temporal matters he did practically find that the colonial Church was entirely separated from the Established Church in this country. As to spiritual matters, that was a wholly different question. There never, probably, was a time when on the part of the colonial Church there existed a stronger desire to maintain the same standard of faith and unity of doctrine with the Established Church in this country. But as to identity in temporal matters, that had entirely vanished, and it was idle to talk of it. Not a single Church of the colonies was at this moment an Established Church. Canada, Victoria, New South Wales, Adelaide, South Australia, one after another had repudiated the idea of anything like an Established Church; and matters had gone so far that in South Australia, if he remembered rightly, the Legislature had absolutely refused, on one occasion, to pass an Act merely referring to the Church of England because it might seem to give a legal existence to it. Therefore, the colonial Church at this moment was entirely in the position of a voluntary association, as Lord Kingsdown had described it; it was precisely in the same position as the Wesleyan body, the Roman Catholics, or the Baptists—neither better nor worse than they were. The right rev. Prelate had spoken of the Royal supremacy. That was a delicate matter to touch upon, and a layman approaching its consideration could only speak of it with the greatest diffidence. It might not be very easy even in England to define all the powers of the Royal supremacy, which were circumscribed and limited by various Acts of Parliament. But he had no hesitation in saying that in those colonies which were possessed of independent Legislatures the real powers of the Royal supremacy had not been exercised, and it might fairly be presumed did not exist. He believed that noble and learned Lords generally would be disposed to agree in this — that the Royal prerogative consisted, speaking broadly, of three great powers; the power of convening ecclesiastical convocations, synods, or assemblies—whichever they might be called—the disposal of ecclesiastical causes in Ecclesiastical Courts, and lastly, the appointment of Bishops. The power of convening ecclesiastical convocations and synods he believed had never once been exercised in any single colony; the decision of ecclesiastical causes in Ecclesiastical Courts had been pronounced by lawyers over and over again to be wholly beyond the competence of the Crown in those colonies; the appointment of Bishops was the only power exercised, and that rather by way of patronage than as any part of the supremacy. But by the recent judgment of the Privy Council even the power as to the appointment of Bishops was curtailed and reduced to the merest shadow of right. Therefore, as far as the Royal supremacy went, it was really a misuse of the term to speak of it as applied to any of the colonies. It was not desirable that Parliament should mix itself up with questions of this kind, or to appear to side either with a party in this country or the colonies. The only principle for which he had contended was this—that Parliament must be exceedingly jealous of doing anything which could in any way interfere with that principle of colonial independence which had been so constantly laid down and so solemnly and deliberately sanctioned. Persons might talk of wishing not to separate the colonial Church from the Established Church of England; but if those words meant anything they really meant an attempt to build up again, on the wreck of Churches thrown down by the colonies themselves, a superstructure of endowment and privilege. Anybody who knew anything of colonial feeling, and the tenour of colonial society, must know that such a design it would be utterly impossible to carry out. If the point sought to be accomplished were for the benefit of the Church of England, it would be held, and not without reason, to be unfair to other denominations to place the Church of England in a position of superiority to any other religious body in the colonies. If, on the other hand, it would not be for the benefit of the Church of England, then it would be unjust to impose on her growth and free action restrictions which were no longer balanced by correlative advantages. So much for the temporal connection between the two Churches. As regarded their spiritual affinity, not a single line could be brought forward to show that the warmth of feeling of the colonial Church for the Church of England had in any way abated. On the contrary, he believed that the spiritual ties uniting the colonial to the Established Church in this country were stronger now than they had almost ever been, and that in spite of the unhappy dissensions of which so much was frequently made. He was disposed to believe that the ardour of their attachment for the religion of the mother Church had increased, and would continue to increase, just as the loyalty and affection of the colonists for the mother country itself had kept pace with the generosity and freedom of the gifts made to them in matters of purely temporal government.

Lord CRANWORTH said, there was no such necessary inconsistency between the judgments of his noble and learned Friend Lord Romilly, and that delivered by Lord Westbury on behalf of the Judicial Committee of the Privy Council, as was supposed by the noble Earl the Secretary for the Colonies. The Bishop of Natal claimed, by virtue of his letters patent and his consecration as Bishop, pursuant to the Queen's mandate, to be entitled to the enjoyment of a certain trust fund in this country, which had been created for the endowment of a Bishop of that colony, and the judgment of his noble and learned Friend the Master of the Rolls—whether right or wrong he did not say—was that there was nothing in the judgment of the Privy Council to disentitle him. There was a passage in the judgment delivered by his noble and learned Friend the Master of the Rolls that had been misinterpreted. That passage was as follows:—

> "On this subject an expression has been made use of in the judgment given in the latter case before the Privy Council, which is, I think, liable to be misunderstood, and which it is essential to notice. It is there stated to this effect:—The Lord Chancellor who delivered the judgment, having observed that after a colony has received legislative institutions the Crown stands in the same relation to that colony as it does to the United Kingdom, proceeds thus:—'It may be true that the Crown, as legal head of the Church, has a right to command the consecration of a Bishop, but it has no power to assign him any diocese or give him any sphere of action within the United Kingdom.'"

Taken by itself, it might appear as if his noble and learned Friend had expressed some opinion with regard to the validity of the Bishop's appointment or jurisdiction; whereas it would be seen by the whole tenour of the judgment that the only question for his decision, and the only question which was, in fact, decided by him, was whether the Bishop of Natal, in the equivocal position in which he then stood, was entitled by virtue of the Queen's letters patent to the income of certain trust funds. Whether his noble and learned Friend was right in the judgment or not he would not venture to say, particularly as he might be called on, as a Member of their Lordships' House, to give his opinion hereafter on the case. But he thought it only fair to his noble and learned Friend that an erroneous construction should not be put upon the terms of that judgment.

LORD ST. LEONARDS said, that the question which had been brought before the Master of the Rolls was not one of doctrine; but the point for his decision as an Equity Judge was merely whether the Bishop of Natal did or did not continue to be the *c'estuiqui* trust of certain funds, and the noble and learned Lord had decided the point in the affirmative; but he had nothing to do with the question of doctrine. It was competent to those persons who might be dissatisfied with his judgment to appeal either to the Lords Justices or to the House of Lords direct, who would then be enabled to pronounce a clear decision on the case.

LORD TAUNTON said, he had listened with great satisfaction to the just, the true, and the statesmanlike principles which had been laid down by the noble Earl the Secretary of State for the Colonies; and he should have much more confidence in the decisions of a responsible Minister, acting under the advice of the Law Officers of the Crown, and with that respect for colonial liberties which the noble Earl had manifested, than in any conclusions to which a Committee of the House could come to. When they talked about the Church of the colonies they should remember that they referred to communities of very different characters. They sometimes talked of India as a colony. But India was no colony; it was a great Empire, and the position of a Church of England Bishop in it was very different from one in an ordinary colony. He could understand the Church deriving some benefit from its connection with the State in India; but when they came to the case of our great populous colonies, those who cared for the true interests of the Church of England would scrupulously avoid putting it in any position where it might seem to be at variance with the general community amongst which it was placed. When it fell to his Lord Taunton's lot, as Secretary of State, to deal with the Church of England in Canada, the proposal to sever it from the Church of England was accepted by the unanimous vote of every member of the Church of England in the Canadian Legislature, and with the full concurrence of the Bishops. It was also recommended by the able Governor of the colony Sir Edmund Head, who said it was a great concession on the part of the colonial Parliament that it should have consented to mention the Church of England in a statute at all, so jealous—so absurdly jealous perhaps—was it of putting the Church of England in a different position from that of any other religious body. He (Lord Taunton) was sincerely attached to the doctrines and discipline of the Church of England; and not less as a member of that Church than as a Minister of the Crown had he laboured to promote the passing of that Act. But then it was said that it was an object of great importance to keep up the supremacy of the Crown. In the mother country he believed he was as jealous of maintaining unimpaired the Royal supremacy as any man. He looked upon it as the shield of the laity, and as being absolutely necessary, not for the restraint merely, but for the support of the Church of England, and that to remove it would be dangerous to the Church as an institution. But the case as regarded the colonies was totally different. Nothing could be more unjust or unfair to the Church of England in the colonies than at once to divest her of the advantages which she might have derived from her connection with the State, and to strip her of the revenues which at one time she had enjoyed in nearly all the colonies, and then to fetter her with the restrictions which belonged to her former condition. There was no one in their Lordships' House from whom he differed with greater concern than the right rev. Prelate (the Bishop of London); but he had imported into the consideration of the question too much of principles and sentiments, most valuable as applied to the Church at home, but having no application whatever to the state of things existing in the colonies. He (Lord Taunton) could not but rejoice at any voluntary consultation that might take place between the scattered branches of the Anglican communion and the Church of this country, but in order to this everything in the shape of authority on the part of the Church here must be put aside. As for the danger of the latter departing from her doctrines, they had a remarkable instance to the contrary in the Episcopal Church of the United States. The members of that Church owed us no obedience, yet their views and opinions were sound, and they were amenable to discipline among themselves. He was rejoiced to know that the members of that Church were increasing in number, and that they formed the most respectable part of the community to which they belonged. It was through such channels as these that the Church of England was able to spread her doctrines to all parts of the world, and he was happy in knowing that this was not the least of the blessings which the Anglo-Saxon race conferred upon mankind. He hoped that the measure of the Government when introduced would go far towards clearing away the difficulties which now beset the question.

THE ARCHBISHOP OF YORK said, he had given private notice to the noble Earl of his intention to move for abstracts of letters patent and other documents relating to the present legal position of the Church of England—a Motion he might not have made if he had not known that the materials already existed. It might be in the remembrance of their Lordships that in the course of the discussion of last Session on the petition of a certain benevolent lady (Miss Burdett Coutts) who had largely contributed to the foundation of colonial bishoprics, he took occasion to move that the petition, together with the whole of the subject of the colonial Church, should be referred to a Select Committee. No objections to such a course was offered at the time, and the change of Government which shortly afterwards ensued alone prevented this Motion being pressed. He had since been asked by lay Peers on both sides of the House to repeat his Motion for a Committee, which was not to stand in the way of legislation, nor to usurp the functions of that House, but to procure more information for their guidance. His opinion had not been the least altered upon two points—namely, that there was at the present moment a great injustice, and that there was a great want of information. That there was a great injustice no one could deny that had paid the least attention to the legal decision which had lately taken place. Two Bishops at least had been plunged into litigation and difficulties, from which they could not see any prospect of immediate deliverance. These two Bishops had gone out to the colonies upon the faith of letters patent under the Great Seal of England that they had had certain dioceses allotted to them; and it was certain that they had given up benefices in England where they might have lived in peace. But it was not merely a question of civil, it was really a question of most important spiritual right; and at the present moment the colonial Churches were waiting with the utmost anxiety for the determination of the question whether they should or should not have guaranteed to them union with the Church of England, the use of the same Articles, and the same form of worship—whether, in short, colonists going forth from this country should or should not bear with them the same spiritual privileges as those which they had enjoyed at home? There was also injustice to persons like the benevolent lady whose case had been brought before the House last year, in delaying the settlement of the question. There was also a wrong to the Crown itself, whose dignity must be compromised by its being left in the position of inflicting a great wrong upon many of its subjects. But was there difficulty as well as wrong? No one could doubt that. The noble Lord had given an interpretation of the two judgments he had quoted, which he (the most rev. Prelate) should be delighted to think was correct; but, speaking as an ignorant layman, he could not reconcile them. There are three judgments to be harmonised—that given in Long's Case, that in Bishop Colenso against the Bishop of Cape Town, and that in Bishop Colenso against the Colonial Bishoprics Council. In Long's Case, and in the second Case of Dr. Colenso — in the first judgment and the third — there was a substantial agreement — namely, that the Church of England in the colonies stood on the same footing as any other religious body, but when he came to the third decision the case seemed to be quite different. Thus, by the first and second it appeared that the Queen could not create a diocese; but the third seemed to say that it was possible for Her Majesty to give ecclesiastical jurisdiction in the colonies. The two first judgments said that a colonial Bishop could have no coercive jurisdiction; but the third stated that he had power over his clergy to the extent of depriving them by his inherent powers and the rules existing in his community. He (the Archbishop of York) did not say that his views were right, but they were at least not singular; for an eminent lawyer had written a pamphlet, in which he showed that the three decisions could not be brought into harmony. Again, in the Case of "Campbell *v.* Shaw," which was the judgment on which all the subsequent ones had turned, it was laid down that when a colony had obtained "representative" institutions the power of the Crown passed away; but the more recent decision had altered the phrase in "legislative" institutions, and this would include a Crown Council, such as actually existed in the diocese of Natal, under the Queen's patent, at the time that Bishop Colenso's patent was issued. Thus it had come to be held that the existence of a Crown Council, resting on no stronger foundation than a Royal patent, invalidated a subsequent Royal patent; and that the first having invalidated the second was then re-called, and the whole thing vanished like a dream. He did think it very desirable that, before proceeding to legislate, they should obtain better information, and that the proposed Bill, before it passed, should go before a Select Committee, in order that the opinions of all classes, and especially of the colonists themselves, might be taken upon the subject.

THE BISHOP OF OXFORD said, there was one reason in particular why he wished to address a few words to their Lordships on that occasion—namely, that it would have been a matter of regret to him if the debate had come to a conclusion without any Member of the Episcopal Bench endorsing those sentiments of liberality towards the colonies and of earnest desire for the freedom of religion among those communities which had been that evening expressed by the noble Earl the Secretary of State for the Colonies and from a noble Lord who had formerly occupied the same post (Lord Taunton). He had listened to the speeches of those two noble Lords with intense satisfaction, for they manifested a perfect disentanglement from those cobwebs that usually beset the minds of those who approached this question, and evidently bespoke a strong sympathy with the colonies, and a determination to look difficulties in the face, and to acknowledge the actual state of things, instead of endeavouring to talk that state of things away. The speech of the noble Earl the Secretary for the Colonies was an admirable comment upon the whole case; and his noble and learned Friend opposite (Lord Cranworth) had spoken of the general agreement between the two judgments which had been delivered in the courts. To those judgments, of course, they must bow; but what he complained of was the *obiter dicta* which ran through them, and which were not entitled to the same shield of invulnerability as the judgments of the Courts were. It should be remembered that the Church of England in the colonies was a purely voluntary body, like the Wesleyans or any other body of religionists —having an internal regulation of its own, but having no connection with the Crown except as being subjects of the Sovereign. It was a misapprehension to suppose that the Church in the colonies had the same power of appeal to the Privy Council as the Church at home. The Queen's supremacy was an essential part of an Established Church; but what was the meaning of an Established Church? That it was a corporate body possessing property? No; it meant that instead of being merely a voluntary and tolerated society, it was a legal corporation with internal powers which were recognised by the Queen's Courts. It had been decided that the Queen could not create the smallest spiritual court in the colonies. To ask the colonists to look for a remedy in the supremacy of the Crown was to offer to them an illusion. The Metropolitan in New Zealand finding that he had no power under his letters patent, the Synod came to a unanimous agreement to adopt the formularies and professions of faith of the Church of England, and bound themselves never to make any alterations unless there were previous alterations made at home. The connection between the colonial Church and the Church at home was not to be maintained by illusory documents or highsounding claims. It was to be maintained by allowing the Church in the colonies to develop for itself the true Church of England temper, doctrine, profession of faith, and internal government; thus giving it the help they could give it to stand up among free men there, itself there a free Church, among free religionists a free religion. They must not put them off from what would be an abiding reality and teach them to trust to what, when they came to try it, would prove a broken reed.

The Earl of HARROWBY said, he wished by all means to maintain the connection between the colonial Churches and the Church at home; and the greatest security for this was to maintain for both the same ultimate court of appeal. No doubt there were difficulties, but they should struggle with them manfully rather than "cut the painter," and throw the small Churches loose to all the chances of their own organization and without reference to the great metropolitan authority at home. There was no place where the Church of England was so popular, or where there was so distinct a recognition of all her organization, as in Melbourne. The colonists there had petitioned the House of Commons and Her Majesty that they might not lose this bond of connection, to which they attached the very highest importance. It would be a most unstatesmanlike and unkind way of treating them to refuse the boon they asked and leave them unprotected, unassisted, and unguided. Possibly, it might be better to leave some of the larger colonies alone; but they should hear what each had to say, and adapt their remedy to the particular case. He hoped the Bill would be submitted to the consideration of a Committee.

The Bishop of LONDON, in reply, said, he was quite ready to place in the hands of the noble Earl the correspondence he had with the Bishops, Archdeacons, Deacons, and Registrars in the colonies, which might be made public if it was considered advisable. He had heard it stated with the greatest satisfaction that the step taken in not issuing a licence for the Canadian Bishop was not to form a precedent. At all events, Canada was entirely an exceptional case. He thought they did require further information before proceeding to legislate. The matter was so complicated that every colony must be dealt with according to its peculiar characteristics, and he hoped that when the Bill was brought forward they would not be all treated in the same manner.

Motion *agreed to.*

RECOVERY OF CERTAIN DEBTS (SCOTLAND) BILL [H.L.]

A Bill to facilitate the Recovery of certain Debts in the Sheriff Courts in Scotland—Was *presented* by The Lord Chancellor; read 1ª. (No. 14.)

CONSECRATION OF CHURCHYARDS BILL [H.L.]

A Bill relating to the Consecration of Churchyards—Was *presented* by The Lord Redesdale; read 1ª. (No. 15.)

House adjourned at Eight o'clock, to Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, February 15, 1867.

MINUTES.]—New Member Sworn—Sackville George Stopford, esquire, *for* Northampton County (Northern Division).

Public Bills—*Resolutions in Committee*—Duty on Dogs; Sugar Duties.—*Resolutions* [February 14] *reported.*

Ordered—Execution of Deeds*; Spiritual Destitution*.

First Reading—Execution of Deeds* [26]; Spiritual Destitution* [27].

DISTURBANCES IN IRELAND.
QUESTION.

Mr. CHICHESTER FORTESCUE: I shall be glad if the right hon. Gentleman opposite (Mr. Walpole) will state to the House, What information he has received from Ireland since yesterday respecting the events which are passing in that country?

Mr. WALPOLE: The information which I have received since yesterday is this. The armed bodies whom I mentioned yesterday as marching upon Killarney doubled back when they were within fourteen miles of that town, and then went to Toomies Wood. Brigadier General Horsford had so large a force that he was not merely able to follow them, but, I believe, he also expected to be able to surround the wood; and therefore it may be considered that this movement at any rate is now pretty nearly, if not quite, put a stop to. No other intelligence has reached the Home Office of an authentic kind, excepting that the information which comes from the Irish Government adds emphatically that it may be considered that the present movement in the south-western part of Ireland is completely arrested.

Mr. CHICHESTER FORTESCUE: Will the right hon. Gentleman say whether the telegraphic wires have been cut in different places, as is stated in the public papers?

Mr. WALPOLE: I have seen it stated in the public papers that such is the case, but I have myself received no information to that effect, and therefore I cannot say one way or the other.

Colonel FRENCH: Can the right hon. Gentleman state whether there is any foundation for the statement that the Fenians were as numerous as 800?

Mr. WALPOLE: No telegram that I have received has mentioned the number, and I am unwilling to state anything from mere conjecture.

METEOROLOGICAL DEPARTMENT OF THE BOARD OF TRADE.—QUESTION.

Colonel SYKES asked the President of the Board of Trade, Whether the Storm Signals, as hitherto practised by the late Admiral Fitzroy, are to be continued; and, if so, in what manner, and by whom; if to be discontinued, whether it would not be prudent previously to invite the Chambers of Commerce of the Kingdom to express their opinion on the subject; and, whether the valuable and instructive Meteorological Report which had appeared daily in *The Times* and some other papers will be continued; and whether observations from the Paris, Brussels, and St. Petersburg Observatories could not be added to it?

Sir STAFFORD NORTHCOTE: I will explain the position in which this question stands. After the late Admiral Fitzroy's death, an inquiry took place into the whole system of the Meteorological Department of the Board of Trade, as of course it was necessary to make some provision for supplying his place. A committee was appointed, consisting of a representative of the Royal Society, a representative of the Hydrographical Department of the Admiralty, and a representative of the Board of Trade. That committee reported fully on the whole subject, and their report was to the effect that the observations which were originally intended to be made, in order that they might form a foundation for a scientific system of meteorology, had been of late years to a great extent discontinued, and that more attention had been given to storm signals and weather forecasts than to the perfection of those observations. The committee recommended that for the future more attention should be paid to the collection of information than heretofore, and, consequently a larger Vote will be proposed, the greater part of which will be spent on observations such as were originally contemplated. They also proposed that the management of the work should be transferred to a scientific committee appointed by the Royal Society, and such a committee had been appointed, and would have placed at its disposal all the information at present possessed by the Board of Trade. As soon as the matter had been placed in the hands of the Royal Society they informed the Government that they were not prepared to continue the storm signals, as they rested upon a mere hypothetical basis, and of course, if they were not prepared to prophesy, the Board of Trade could not be expected to do so. Information would be collected and reported by telegraph to stations throughout the kingdom, and such information would be given in time to enable any place where there was a disposition to make use of signals, the opportunity of forecasting the weather for themselves. Since the hon. and gallant Gentleman gave notice of his Question, I have received from General Sabine, the chairman of the committee appointed by the Royal Society, a note with reference to this subject. He says—

> "The usefulness of the present stations from which telegraphic communications are daily received is under consideration, but the final selection of the stations is in the hands of the committee, who are of opinion that no advantage would be gained by receiving communications from Paris, Brussels, and St. Petersburg. These stations are not on the sea-coast, and telegrams from the last-mentioned station would not be received in time for publication in the daily papers. This is the case with Skuddesnœs, Helder, and Corunna. The committee already receive six telegrams from the coasts of the Continent; and none have been discontinued since the department has been in their hands. They are not prepared at present to recommend any additional expense to be incurred on this head."

Great advantage would no doubt be derived from having the communications referred to.

CATTLE PLAGUE.—QUESTION.

Mr. READ asked the Vice President of the Committee of Council on Education, Whether the Government intend to compensate the owners of cattle suffering from cattle plague which were slaughtered by the order of the Government Inspectors previous to the passing of the Cattle Diseases Act of February, 1866; and, if so, at what rate compensation will be granted, and over what period it will extend?

Mr. CORRY: Arrangements have been made for granting compensation for diseased animals slaughtered under the authority of the Orders in Council between the 26th of August, 1865, and the 23rd of the following November, at which date the slaughtering powers were revoked on the recommendation of the Cattle Plague Commissioners. From the 23rd of November to the passing of the Act at the beginning of last Session the inspectors had no power to order the slaughter of diseased animals, and consequently the Government are not disposed to grant compensation for that period. The rate at which the compensation will be made from August to Novemver, 1865, will be the same as that fixed by the Act of last Session—that is to say, one-half the value of the animal, less any amount received from insurance, local rates, or the sale of the hide or carcass.

Sir GEORGE GREY: Will Returns be made giving detailed information respecting the cattle plague?

Mr. CORRY: Returns giving detailed information respecting claims for compensation for losses by the cattle plague were called for; but when they were examined in the office they were not considered to be satisfactory Returns, and they were accordingly sent back to the local authorities for revision. I have not heard, however, whether the revised Returns have been yet received. I do not imagine that there would be any objection to lay them upon the table.

Mr. J. B. SMITH: Out of what funds is it intended to pay this compensation?

Mr. HUNT: A supplementary Estimate, delivered this morning, of £25,000 will be taken to meet this compensation.

Mr. GLADSTONE: I wish to ask the right hon. Gentleman, whether he will take care that ample notice shall be given before that Estimate is submitted to the consideration of the House?

Mr. CORRY: Certainly.

Mr. READ: Am I to gather from the right hon. Gentleman's remarks that in no case will compensation be given for carcasses or hides buried by Order of the Council?

Mr. CORRY: No compensation will be given for animals slaughtered between the 23rd of November and the passing of the Act of last Session. The compensation to be given after the passing of that Act is fixed by the Act itself.

COMMISSION ON RAILWAYS.

QUESTION.

Mr. PIM asked the Secretary of State for the Home Department, When he expects that the Report of the Commission on Railways will be laid before the House?

Mr. WALPOLE said, that the Report of the Commission on Railways was very nearly completed, and therefore in a short time it would be laid before the House.

VACCINATION.—QUESTION.

Mr. BRUCE asked the Vice President of the Committee of Council on Education, Whether it is his intention to re-introduce the Vaccination Bill, as amended by the Select Committee last Session?

Mr. CORRY said, it was the intention of the Government to introduce a Vaccination Bill this Session; but it might possibly not be identical in all its provisions with the measure of last year.

SMALL TENEMENTS RATING ACT.

QUESTION.

Mr. ARTHUR PEEL asked the President of the Poor Law Board, Whether his attention has been called to the effect of the Small Tenements Rating Act in disqualifying the occupiers of tenements, the rates of which are paid by the landlords, from voting in the election of Guardians of the Poor and other officers, and to its bearing in connection with the enactments giving plurality of votes to those who occupy premises rated at the higher amount; and, whether it is his intention to propose any alteration in the law?

Mr. GATHORNE HARDY said, that since the hon. Member had given notice of his Question he had made inquiries upon the subject, and, upon consideration, it was not his intention to propose any alteration of the law. As he understood by the operation of the Small Tenements Rating Act, occupiers rated at only three quarters of their rent, the rate being paid by the landlord, were not themselves qualified to vote, but the owners, under certain conditions, voted as if they were occupiers.

What he understood the hon. Member to mean by the last part of his Question was, that where these owners were in occupation of houses of their own at the same place, they voted in respect of them, and so got a plurality of votes through their ownership of small tenements. That did not seem to him to be an unfair principle, and therefore he could not propose an alteration of the law.

CORRUPTION AT ELECTIONS—THE REFORM RESOLUTIONS.

QUESTION.

Sir ARTHUR BULLER asked Mr. Chancellor of the Exchequer, Whether, upon Monday, February 25, he will give any explanation of the measures which the Government are prepared to propose for the more effectual prevention of Corruption at Elections?

The CHANCELLOR of the EXCHEQUER: With reference to the Question just asked me by the hon. and learned Gentleman, and the two other Questions I find on the Paper, I would say that on Monday, the 25th instant, before I move that we shall consider the Reform Resolutions which I then intend to bring forward, I will make a statement to the House which will meet the points (measures to prevent corruption, whether plurality of votes would be adopted, and whether the reduced value of the qualifying tenement in counties and boroughs would then be moved).

NAVAL YARDS.—QUESTION.

Lord ROBERT MONTAGU asked the First Lord of the Admiralty, Whether Her Majesty's Government intend to carry out the Recommendations of the Royal Commission of 1861 relative to the system of control and management of the Naval Yards, and to the purchase of materials, or any part of the Recommendations on pages vi. and vii. of the Report; whether the Controller of the Navy is the officer to whom the First Lord of the Admiralty looks for the efficiency and economy with which the Dockyards are managed; and, if so, whether it is, in his opinion, conducive to the efficiency or economy of such Establishments that an officer in the position of Storekeeper General (who is entirely independent of the Controller), should be entrusted with the duty of keeping up the necessary supply of material for the Dockyards; whether it is true that the office of Storekeeper General is to be abolished, and his clerks, or some of them, to be transferred to the Controller's Office, so as to form a Store and Supply Branch in the Controller's Office; whether, if such abolition is to take place, the recently created Contract Office (now, as appears by the Navy Estimates, a separate department), is to be made the sole purchasing Department; whether any office is to be created for taking stock of stores and materials, and for accounting for them to Parliament; and, whether all the heads of Departments are to be made responsible directly to the Naval Minister, and, through him, to Parliament?

Sir JOHN PAKINGTON, in answer to the first part of the Question, said, that in the course of the last six years the late Board of Admiralty carried out some of the recommendations, and others they had not adopted, but he hoped his noble Friend would not deem him wanting in respect if he did not reply fully to this voluminous Question, which would necessitate a long statement, more especially as the whole subject was to be brought forward in a short time by the hon. Member for Lincoln (Mr. Seely).

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

INSURRECTION IN CRETE—SERVIA.

ADDRESS FOR PAPERS.

Mr. GREGORY rose to move an Amendment for an Address for Copies of Correspondence with foreign Governments on the subject of the Insurrection in Crete, and the Servian fortresses, and for Reports of our Consular agents on those subjects. He said, that in 1863 he brought under the notice of the House one of the most inexcusable outrages that had taken place during the last quarter of a century—namely, the bombardment of Belgrade by the Turkish garrison. He used the word inexcusable advisedly, resting that expression on the protests of all the Consuls, headed by Mr. Longworth, and on the Reports of the Consuls of France, Italy, and Prussia. Between the Mussulmans and the Christians in Servia there had always existed a bad feeling; but this outrage had aggravated that feeling into such intense hatred, that no one could tell what the next day might bring forth. Any rash word or action might end in the destruction of a Turkish garrison or of a Christian town. With discontent so rife as it was, it was impossible that people could pursue the avocations of peace, for capital and commerce deserted a country which might at any moment become the theatre of sanguinary insurrection. In 1863 he showed that the imports of Belgrade, which in the second half of 1861 were valued at 31,500,000 of Turkish piastres, in the second half of 1862 (after the bombardment of Belgrade) had fallen to 16,000,000 piastres. Since then, the Servians had prayed and besought the European Powers to aid them in obtaining removal of the Turkish garrisons. They had shown that all internal improvement was at a standstill, and must be as long as the two peoples were in presence of each other, and they had pointed out that Moldavia and Wallachia, without a Turkish garrison or even a single Turk, acquiesced willingly in the suzerainty of the Porte. If, however, these fortresses were intended to repel foreign aggression, how much more necessary would it be to maintain them on the frontiers of Moldavia, the most accessible point from which Turkey could be attacked by the only enemy likely to assail her in that direction. Surely, if they could be left ungarrisoned still more might Servia, which was exposed to attack only from Austria, the last Power to be suspected of aggressive designs. These fortresses were originally nothing more than old Turkish outposts, whence the Turks issued to lay waste Christian territory. Now they could serve only to irritate and terrify the Servians, and to impose on Turkey financial burdens which she could not bear. The result was, Servia had become the focus of intrigues, whence discontent in Montenegro, the Herzegovina, and Bosnia received encouragement. It was perfectly notorious that the fabrication of arms and munitions of war was carried on, and that the Servians were determined to appeal to the sword rather than submit to the continuance of a state of things so intolerable. Could any one doubt but that the first shot on the Danube would be re-echoed in Montenegro, the Herzegovina, Thessaly, Epirus, and though not perhaps immediately, yet ultimately in Bulgaria? Could any one help fearing that the shock between the Crescent and the Cross might not spread ever onward, and its undulations be felt in massacres and tumults wherever Christianity was brought into contact with Islamism? His object was to prevent this catastrophe. He had no wish to see the Turkish Empire torn to pieces without anything to replace it. His policy was gradually to bring these Christian dependencies of the Porte to civilization and self-government; to render them fit to stand ultimately alone; and to become worthy heritors of what must eventually be theirs. That was the true solution of this dreaded Eastern question—a solution identified with the happiness of many millions of people, the stability of their future institutions, and the peace of Europe. There were three policies pursued by the three greatest Powers in dealing with the East of Europe. There was the Russian policy, which was one of pure self-interest and aggrandizement. Its object was to keep the Eastern Christians united to it by the bonds of a common faith in constant discontent and turbulence. It had no desire to see them rise, thrive, and become strong, self-governing, and satisfied. Mis-government and misery were the foundations of its strength. Remove that mis-government, and her arms fell idly to the ground. It was extraordinary the unblushing cynicism with which this course of conduct was avowed. The instant other nations endeavoured to effect a permanent settlement of any portion of these countries there stepped in Russia, affecting an astonishing punctiliousness for the rights and independence of the Porte. Read the papers lately presented about the Danubian provinces, and it would there be seen that when England and France approved their choice of a foreign Prince Russia opposed that choice with might and main, on the ground of its interference with the authority of the Sultan. Did the House of Commons imagine that these people were blinded to all this? Quite the reverse. The Servians understood it—the Greeks understood it better. They remembered the Czar's conversation with Sir Hamilton Seymour, in which he said that Russia would never tolerate Greece becoming a strong and united kingdom. Nevertheless, so great is the irritation and despair, that these people, finding the Western Powers indifferent, if not hostile, turn their eyes and hearts to Russia, because from her they obtain a sympathy if even interested, and promises if even false. As to the next, the English policy, he was bound to say that it was, at all events, disinterested though inconsistent and mistaken. We had pursued the policy of preserving at all hazards the integrity of Turkey, whatever the sufferings or the wishes of her Christian dependencies. He did not for a moment mean to imply that England was indifferent to the oppression, the misgovernment, and the sufferings which had been inflicted upon those Christian populations. We had interfered, protested, menaced, beseeched. The whole course of Sir Stratford Canning's diplomacy at Constantinople, as also Lord Palmerston's action at the Foreign Office, had been a continued protest. But what he meant was this, that the sufferings and discontent of the Christian dependencies of Turkey seemed to be as dust in the balance when compared with the fancied danger of the removal of one single pebble from that crumbling edifice. We had gone on year after year, hoping against hope that we could work a cure where the disease was inveterate, that we could wash a blackamoor white, or render any system of Turkish government enlightened, progressive, and humane. Surely, to persevere in such a system was wrong, after years of experience had proved it to be a failure; a failure as regards the happiness of millions of Eastern Christians; a failure in its main object—namely, placing a barrier in the way of Russia. It was also inconsistent. For we had invariably hailed the independence of every people that had escaped from oppression to self-government. We had given moral assistance to the Republics of South America; we gave more than moral assistance to Greece. We had rejoiced at the independence of Italy, and the expulsion of the Austrians. But if the bad government which these countries had suffered was as nothing compared with the oppression of the Christian dependencies of Turkey, was not our conduct inconsistent? If any one wished to have an exposition of the true policy which we ought to pursue, let him read the speech of the late Chancellor of the Exchequer (Mr. Gladstone) on the subject of the Danubian principalities. Of the many wise and noble speeches which the right hon. Gentleman had made, history would pronounce that speech to be one of the wisest and the noblest. The right hon. Gentleman said—

> "I must really say that if it were our desire to embroil the East, to sow the seeds and create the elements of permanent difficulty and disunion, to aggravate every danger which threatens Turkey, to pave the way for Russia, and to prepare willing auxiliaries for Russia in her projects southwards, we could not attain those objects by any scheme better laid down than that of abandoning our pledges and promises and giving in to Austrian policy."—[3 *Hansard*, cl. 65.]

But Austrian policy was synonymous with English policy, as was proved from the speeches of Lord Palmerston and Mr. Seymour Fitzgerald. On that occasion, Mr. Gladstone proceeded—

> "It is natural that Austria should view with the utmost jealousy anything that tends to give freedom, vitality, and strength to her neighbours on the Danube. It is impossible to blame her on that account; but it is probable—it is natural—it is reasonable and right that we at least should beware of being drawn into her policy."—[3 *Hansard*, cl. 50.]

In another place, he said—

> "It is a great object of European policy to prevent the extension of the Russian power in the direction of Constantinople. . . . . . The best resistance to be offered to Russia is by the strength and freedom of those countries that will have to resist her. You want to place a living barrier between her and Turkey—there is no barrier then like the breasts of free men."—[3 *Hansard*, cl. 59.]

This was his justification for saying that our policy was unwise; and he felt additionally justified if the rumour were true that Austria had at length seen the error of her ways, and that Baron Beust had discovered that to deprive these provinces of all that contributes to vitality, strength, and contentment was to place the most powerful weapons for her own chastisement in the hands of that powerful neighbour, Russia, who looked on her with no loving eye. He (Mr. Gregory) had described the policy of Russia and England; there remained the policy of France. Doubts had been expressed as to her sincerity. Whatever it might have been, at present he thought it was enlightened and sincere. It might have been different, and no doubt it was in former times when there was a perpetual rivalry throughout the world. It was then sufficient for England to recommend and for France to oppose. French diplomacy was the unscrupulous opponent of Marcocordato, the best statesman of Greece, and the advocate of Coletti the worst. Much of the evil doings of King Otho, the curse and ruin of Greece, were performed under French influence and support. But that was the policy of the past. He would borrow his definition of French policy in these days from the words of that distinguished statesman M. Guizot. He said—

> "To maintain the Ottoman Empire for the purposes of European equilibrium, and when by the natural progress of events some dismemberment takes place, some province detaches itself from the crumbling Empire, to favour the transformation of that province into a new and independent sovereignty, which would take its place in the family of States, and serve one day to form a new European equilibrium—that is the policy which suits France, it is one to which she has been naturally led, and in it, I think, she will be wise to persevere."

He was perfectly confident that before long that would be the policy of England also. He could see public opinion tending steadily that way. Ever since the outrage in 1862, to which he had adverted, took place, France had advocated the removal of those fortresses, which were only a source of weakness to Turkey, while they were a menace and an insult to Servia. What did M. Thouvenel say upon this subject—

> "While the right of garrisoning these fortresses incontestibly belongs to the Porte, I do not hesitate to believe that the Porte would do wisely in acceding to the demands of Servia. Turkey, in evacuating these provinces, would find herself placed in the same position it occupied towards Moldo-Wallachia in Egypt. The discontent of the Servians can alone induce them to favour those troubles which may arise in the Turkish provinces. On the contrary, if their wishes were satisfied, they would have less inclination then ever to second those of neighbouring populations. I see no better hope or means for the Porte to take away from these agitations the only chance they have of creating danger, than by deferring to the demands of Servia."

Judging from the papers that had been produced, he had reason to believe that the noble Lord the Secretary of State for Foreign Affairs (Lord Stanley) would proceed in a wise and liberal course. Whatever might have been the policy of England twenty-five years ago, the noble Lord would probably acknowledge that it was not applicable to the present state of affairs, and he felt justified in hoping that the course which England might pursue would be followed by other nations. The noble Lord, in the Correspondence on the Danubian Principalities, wrote thus in July, 1866—

> "The strength and not the weakness of the Principalities was the best source of security to the Porte."

If the noble Lord would substitute Servia for the Principalities, and deal with Servia in that spirit, he would be perfectly satisfied. Up to this point, and in recommending that Servia should be placed upon precisely the same footing as Moldo-Wallachia, he had spoken without the slightest hesitation; but in approaching the circumstances of the Cretan insurrection, he confessed he did so with faltering and hesitation. He was thoroughly aware of the character of the Greek people, of their enthusiasm, their excitability, their readiness to hail every incident and word as pregnant with encouragement. Such being the case, and knowing the additional misery which the protraction of the war would entail upon Crete, he dreaded lest any unguarded words might excite illusory hopes of assistance, and be the means of protracting a hopeless struggle, if the struggle be hopeless. For the last six months pillage, murder, and devastation had been laying waste one of the finest islands in the Mediterranean. At the very threshold was an instance of the difficulties attending this discussion. What was the origin of these troubles? Who were really the guilty parties? The Turks maintain that the outbreak was not owing to mis-government, but was excited by foreign emissaries, with a view to annexing the island to Greece. M. Moustier, the French Minister, in his note, inserted in *The Moniteur* of December 5, held nearly the same tone as Ali Pasha, adding that the sound part of the population had not hitherto participated in the insurrection. Baron Brunnow, in a conversation with Lord Stanley, seemed to have arrived at a similar opinion. There was, on the other hand, positive evidence that the iniquitous mis-government of the Turks was the sole cause of the outbreak. The circumstances attending the insurrection of 1866 resembled exactly what occurred in 1858. In 1858 the Cretans assembled in order to demand a redress of proved and intolerable grievances, and dispersed on receiving assurances that this would be done. At that time Turkey had its hands full with Montenegro and the Herzegovina, and as usual, at first temporized, and on being pressed, promised. Not one pledge was fulfilled. Instead of those promises having been performed, the taxes had been increased, and the administration of justice was more flagrantly iniquitous and corrupt than it was before. A passage in the petition which the Cretans had addressed to Her Majesty was one of the most pathetic that he had ever read. It was as follows:—

> "We pay enormous taxes, which are increased each year, without enjoying any of the advantages which all nations receive in return for such taxation. Justice is a thing unheard of. We have no tribunals worthy of that name; nor have we any laws. Our government depends on the arbitrary

> will of the representative of the Sublime Porte. Our children, from want of public instruction, wallow in ignorance; the few schools we have are maintained at our own small means. The clergy are even paid by us. We are not admitted into the public service. We have no roads or bridges. Our evidence is of no avail against that of a Mussulman. The excesses committed by the Turks are rarely punished. We have never experienced any of the advantages enjoyed by the poorest subjects of civilized nations. We are the slaves of another race."

After expressing their utter distrust from better experience in the promises of the Porte, they represented their desire for annexation to Greece; and, in default of this, implored that something at least might be done to obtain for them a political organization under which there might be laws and regular tribunals, less grievous and better imposed taxes, by which the morality of the people might become possible, and that at least one part of the revenues of the country should be expended in its improvement. This petition assuredly did not convey the impression that they were determined all along upon insurrection, even though their grievances were redressed; and the British Consul, Mr. Dickson, stated, that when they met in May to petition the Sultan they were unarmed, and unanimously professed their sentiments of loyalty and submission to the Porte. Moreover, a statement recently received by the hon. Member for Reading from the American Consul disclosed a degree of misgovernment quite sufficient to account for the outbreak. Have we any moral doubts that it can be otherwise with Crete than with other portions of the Ottoman Empire? The Consular Reports of 1860, on the condition of the Christian defences of the Porte, showed that in every part of its dominions justice was unknown, and the lives and properties of the Christian populations without any protection. The Cretans, in the first instance, assembled to ask for a redress of their grievances, and they then dispersed, leaving thirty of their number to await the answer of the Turkish Government. The Porte not only resorted to evasion and delay, but before giving a reply sent 6,000 Egyptian troops to occupy every point of strategical importance, while the Governor occupied himself in endeavouring to arrest every man who had taken a prominent part in the movement. Under these circumstances the Cretans flew to arms, and then the Porte, acting on its usual policy, sent Mustapha Pasha as a Commissioner with promises of redress. Before, however, he arrived the mischief had been done, and peace had become impossible. Mr. Dickson, who had behaved throughout with great prudence and propriety, said—

> "Up to the arrival of Mustapha Pasha many excesses have been committed in those districts, whole villages having been sacked and laid waste, churches and mosques having been violated, and even some graves have not been spared in the work of wanton destruction that has been going on. The conduct of the military is described as having been bad in several instances."

Then came a series of testimonials from unbiased persons of the atrocities committed by the Turks. Mr. Erskine, writing on November 3, said—

> "I have seen letters from three different persons in Candia, all foreigners, who speak of the conduct of the Turkish and Egyptian troops as simply atrocious. One gentleman describes the massacre of 200 persons, chiefly old men, women, and children; and the barbarities committed by the troops as beyond all belief. Another states that the Turks refused all quarter to the Christians, and mercilessly chopped off the heads of the unfortunate wounded, as well as dead, a reward of 100 lira having been offered for each head thus brought to the camp. The writer of this letter adds, it is true, that similar barbarities are committed by the Christians. If these statements at all resemble the truth, it may be conceived how difficult it will be ever to reconcile the Christians to the Turkish rule, or to persuade them to live harmoniously with native Mussulmans whom they accuse of such horrors."

At a later date Mr. Erskine quoted the opinion of one of our own naval officers, Commander Pym, to the following effect:—

> "He is no less confident that the Cretans will not submit to the Turkish yoke one moment longer than is absolutely necessary, and that as soon as any considerable portion of the Ottoman forces is withdrawn the people will rise and again seek to avenge the numerous wrongs which have been inflicted upon them by a barbarous Government and a savage and brutal soldiery."

Despatches from Commander Pym and Mr. Erskine described the outrages committed by the Turks upon the Christian population of Crete, especially upon women. The account given by the Russian commander was to the same effect. He added, that the Turks hoisted English colours in order to decoy these unfortunate Christians, non-combatants, old men, women, and children within range, when they opened on them with grapeshot. The last telegrams stated that this insurrection had ceased; but it appeared to him quite impossible that the Cretans would ever return to Turkish rule. The horrors and outrages they had endured at the hands of the Turks would never be forgotten; they had left wounds which could never be healed. The noble Lord (Lord Stanley) might be perfectly certain that there never would be peace in Eastern Europe so long as these insurrections were perpetually bursting out. He gave the noble Lord the fullest credit for humanity. His conduct had been most kind and conciliatory, and his action contrasted favourably with that of the stern, harsh, and menacing course of the French Government. He was glad, however, to perceive from these papers that some change was coming over the policy of the French Government. It seems that some proposal had been made to give a local autonomy to the island; for the noble Lord (Lord Stanley) had, on the 19th of January last, written a despatch to Sir Andrew Buchanan, in which he stated—

> "We are willing to support the proposition of France and Russia for giving local autonomy to Crete. But we respect the independence of the Porte, and shall consider that in offering this friendly advice we have discharged our duty. We disclaim all idea of putting a pressure on the Porte. It is understood that the Porte has itself a plan for giving to the Christian population of the island guarantees for good government in the shape of some new administrative arrangement. We are glad to hear this; and provided that object be secured, we are indifferent as to the precise means. We do not understand by the word local autonomy anything in the nature of a separation of Crete from the rest of the Empire. Baron Brunnow expressed his satisfaction at this announcement, adding that he quite understood that it was not in accordance with the ideas or feelings of the British Government to carry intervention further."

In another part of the blue book would be found a criticism on this proposal on the part of Prince Gortschakoff, and there was great good sense in the observations of the Russian Minister to Sir Andrew Buchanan, who, writing on the 30th of January to the noble Lord (Lord Stanley), said—

> "His Excellency replied that he had received a memorandum communicated by your Lordship to Baron Brunnow as to the nature of the support which will be afforded by Her Majesty's Government to the proposals of France and Russia for giving local autonomy to Crete, but he feared that advice given to the Porte in the manner intended by your Lordship would be thrown away; and as I said that Her Majesty's Government had been assured that the plan which the Turkish Government were themselves preparing for establishing a new system of administration in the island would satisfy the legitimate wants of the inhabitants, he answered that he had no confidence in plans emanating solely from the Porte, and that there was little doubt that the reforms contemplated by the Turkish Government would prove as visionary as those promised by the Hatti-Humayoun."

The Cretans were evidently of the opinion of Prince Gortschakoff. By the latest accounts they had refused to accept the concessions offered by the Porte, knowing that they were not worth the paper on which they were written. He, for one, was not prepared to advocate at the present moment the union of Crete with Greece. That union must come sooner or later; but at present the great Powers were averse to it. They grounded their opposition on the pressure that must be put on Turkey, and the results that might follow from the pressure; and last, but not least, on the mis-government which prevails in Greece. What he proposed was that there should be an immediate, strict, and searching inquiry into the complaints of the Cretans. We had a right to know whether the promises made by the Porte in the Hatti-Humayoun of 1856 had been fulfilled, and whether the stipulations made by the Porte in 1858 with the Christians of Crete had been carried out. England, in 1856, had taken on herself obligations, and was bound by them to call upon the Turks to give an account of their stewardship. If these allegations of the Cretans were proved against the Porte, the Cretans had a right to claim the privileges of self-government. In 1830 Crete almost obtained her independence. The whole of the island, with the exception of three or four fortresses, was in the possession of the Cretans. Diplomacy, however, stepped in, and handed over the island, first to Egypt and afterwards to Turkey. One of the objections urged at the time against detaching Crete from Turkey was that the Mahomedan population at that time comprised one-half of the island. That objection did not now apply, because the Mahomedans had dwindled down to one-third of the inhabitants of the island, and, deducting the public functionaries and the army, the proportion was still lower. If the demand were made to annex the island to Greece, they would but follow the example of Lord Holland, Sir James Mackintosh, Lords Russell and Palmerston in recommending such a course. On the 16th of February, 1830, Lord Russell proposed a Resolution in reference to Greece, of which the following words were a portion:—

> "That it is the confident hope of this House that such final settlement may be found to secure Greece a territory sufficient for national defence."—[2 *Hansard*, xxii. 549.]

It was because this hope was not fulfilled that Greece lost Prince Leopold, who foresaw the impossibility of governing the new kingdom with its restricted territory, and who was well aware that, with the Greek populations of Epirus and Thessaly left in Turkish hands upon her frontiers, there would be constant incentives to aggression and disturbance. Sir James Mackintosh deprecated, in the same debate, "the restriction of the Greek boundary." Then came Lord Palmerston, who, in words that seemed prescient of all that had since occurred, said—

> "The Secretary of State had altogether failed in showing that the addition of Candia to the territory of Greece was not essential to the well-being and independence of the new State. . . . No man who had turned his attention to the subject could doubt that the political existence and the military defence of Greece would mainly depend upon the possession of Candia. . . . The Turks had wrongfully preserved possession of Candia, and now it was contended they should be allowed to profit by that wrong. It was a principle of law that no man should profit by his own wrong. It was a maxim of justice that the infliction of one injury should not stand good as a reason for the infliction of further and deeper injuries. It was acknowledged that, at the present moment, a civil war was going on in Candia. Were they to have another Treaty of London for the pacification of Candia? or was that devoted and unhappy island to be left exposed to the pouring forth of the vials of Turkish wrath in all its inhuman and atrocious barbarity, to a repetition of the atrocities of Ipsara and Scio? There had been a talk of amnesty; they must all, by this time, know pretty well what amnesty meant when translated into the languages of Spain, or Portugal, or Turkey. In Turkey they had a proverb that there were three merciless things—time, fire, and the Sultan; and if he knew anything of the history of Turkey, he would say there was little probability of that being less true at the present than at any former period. Let Candia remain in the hands of the Turks, and what probability was there that the Greeks in that island would remain patient under that yoke which their brethren had shaken off? . . . . Would it be possible for the Sovereign of Greece to stand by and see thousands of his subjects slaughtered by the Turks without interference? . . . Or if both England and the Sovereign of Greece refused to interfere, the Greeks themselves would fly to the succour of their brethren, and then of what advantage would it be that the State was nominally at peace?"—[2 *Hansard*, xxii. 563.]

The latter part of this question was exactly applicable to the present state of things. Lord Holland used similar language. Most heartily should he rejoice if the rumour were true, that France was changing her attitude on this question. If this were true, he trusted England would advance with her. A faltering and timid policy would only aggravate the evil, and render the danger of an explosion throughout the East more imminent. He was aware it might be against the policy of the great Powers at present that Candia, or that Thessaly and Epirus, should be joined to Greece; but he felt sure that there were many Gentlemen then listening to him who would live to see those changes, though how or when they would be brought about he did not know. Who could have known a few years ago how or when Venetia would be joined to Italy? And yet that event had happily taken place; and so it will be, and that ere long, with Thessaly, Epirus, and Crete. It might be said by some that, whatever be the wishes of Crete, Greece was incapable of self-government, and unworthy of any extension of her territory. It was said that she was a failure, and had falsified every hope. But he must deny that assertion. Evil without end had been spoken of the Greek Government, and much evil also of the Greeks themselves. They were not Greeks but Byzantines, said the hon. Member for Southwark (Mr. Layard)—they were not descendants of that great people who once filled the world with the renown of their exploits—they were a mongrel bastard race, descended from the population of the Lower Empire, with all the turbulence, the corruption, and the other attributes of that people. Would those who indulged in these declamations against the Greeks remember what the Greeks had been and what they are? For 1,000 years they lay in a state of utter prostration. For 400 years afterwards they lay at the feet of the most brutal and ignorant race of conquerors that ever weighed upon the earth. They felt that their property, their lives, and the honour of their families, were at the mercy of shifting, arbitrary rulers, intent only on plunder and oppression. Their religion was insulted and reviled—their laws trampled under foot—justice had fled the land, but violence remained. That with such a past of almost moral death, that with such a present of misery and despair, there should still linger a spark of vitality and national character is a marvel in itself; but that all at once, at the last hour, they should with one great effort have rolled back the heavy stone from the door of their sepulchre, and in the noble words of Colonel Mure—

> "That they should shake off the spirit of tame submission which had become to them a second nature; that they should rise to a man against the overwhelming power of their oppressors, and

> with all the native energy of a young and vigorous race of fierce barbarians, is an event unexampled in the history of mankind."

But was the war they waged during the long and dreadful struggle, between 1821 and 1830, a war of soft and silken Byzantines, or could it be worthily compared with the war of freedom of the noblest days of Greece? Was that fierce army of Turks, flushed with the arrogance of conquest and dominion, less formidable than that of Persia? Let him quote from Colonel Mure a comparison between the past and the present champions of the independence of Greece. Colonel Mure said, as eloquently as truthfully—

> "The Greeks at the period of the Persian war were a people in the flower of youth and vigour, flushed with recollections of ancient glory, filled with the loftiest spirit of national pride and independence. The whole population was trained to arms, and inured to the dangers and duties of military life. Their lower classes were practical warriors, their upper ranks skilful commanders; their armies and fleets were in a high state of discipline and equipment, and were opposed to comparatively undisciplined and unwarlike hordes. In the case of the modern Greeks all these favourable circumstances were reversed. Their wealthier classes were either merchants or servants of the Porte—a timid and time-serving race—their warriors were brigands and outlaws, or raw unpractised peasantry; their mariners, fishermen or pirates. Their enemies were not only a race of approved valour and powerful resources, comparatively disciplined, experienced, and well equipped, but were cantoned in the heart of the country, and in possession of all its principal fortresses. But besides this, during the two or three first years of the war, they had not only the force of their declared enemy to contend with, but the still more galling hostility of his European allies, many of whom, under the name of neutrality, used every means consistent with the shadow of its maintenance to favour the Turks and browbeat the Greeks. Driven from their fields and homes to make their abode for months and years 'in deserts and in mountains, in dens and caves of the earth,' astonished and appalled to find themselves denounced as the common enemy of civilized Europe, under all these afflicting discouragements they never lost heart; and a few raw levies of squalid mountaineers or unwarlike fishermen, by the unaided resources of their own valour or conduct, successively dispersed the choicest armies, and baffled or discomfited the ponderous navies of one of the mightiest Empires of modern times."

Such heroism and devotion to their country, coupled with a keen and subtle intellect, and a marvellous aptitude for commerce, were surely no bad ingredients for the moulding of a young nation. Now, if it is to be proved that the independence of Greece has been a failure, it must be shown that population has decreased, revenue fallen, the internal condition of the country receded from bad to worse, and the lower classes more ignorant and discontented during the last thirty-six years. He could prove the reverse. In every village he believed there was a school, and the rising generation of Greeks generally was better educated than that of this country. Since 1831 the Greeks had rebuilt twenty-one towns destroyed in the war, besides founding ten new ones. In 1831 their revenue was only £178,000, and in 1864 it had risen to £781,000. In 1866, including the revenue of the Ionian Islands, the public income amounted to £1,081,000. Within the same period the population had nearly doubled. They had replanted their groves of olives and currants destroyed in the war. They had built over 5,000 vessels. They monopolized almost all the commerce of the Levant. At Odessa, Ibraila, and Galatz their flag outnumbered all the flags of the world. At Constantinople and Leghorn they were only second to the English; at Marseilles second only to the French. And all that progress had been achieved within thirty years, and in spite of a Government which the late Lord Carlisle described as the most inefficient, most corrupt, and most contemptible with which a nation ever was cursed. If the Greeks were turbulent and corrupt, it should be borne in mind what sort of education they had received during those thirty years. Their Legislative Chambers had been packed with Court satellites; their tribunals were subservient and venal; and the funds applicable for the construction of roads, bridges, harbours, and other internal improvements, were wasted or spent in bribery. His only wonder was that with such a training things were not worse than they were. But the greatness of a nation did not depend on its innocence, but on its energy. One predominant trait in the character of the Greek, whether he was found at Marseilles or Manchester, in Corfu or in Greece, was his intense longing for the unity of his race. The Ionians were perfectly well aware of the price they would have to pay for their dissociation from England, and no doubt the government of those islands had been bad since their annexation to Greece. But he was convinced, from all information he had received, that if they put it to the ballot among the Ionians whether they would return under the dominion of England, the enormous majority of them would prefer to remain united with their native land, with all their present inconveniences, rather than go back to the ease, security, and strong, good government they had left. There was something noble in that spirit; and the nation which was guided by such a star would not long suffer their country to be a failure. In conclusion, he hoped to elicit from the noble Lord (Lord Stanley) some intimation that the policy of the past would not be the policy of the present; but that the policy of the Foreign Office, as regarded the Christian dependencies of Turkey, would, as long as it was in his hands, rest on the assumption that in their gradual elevation to self-government and independence was the best hope for the happiness of many millions of our fellow-creatures, and for the preservation of peace, as well as for the true solution of the Eastern question. The hon. Member concluded by moving an Address for the Papers.

MR. BAILLIE COCHRANE said, that Eastern questions stood on a different footing from that of other foreign questions in the Parliament of this country. The principle of non-intervention could scarcely be applied to them. Greece was under great pecuniary and other obligations to England. We had rendered her great services, and this fact certainly gave us a right to interfere so far as to make such suggestions as we thought might be useful to that country. We were a party to the transactions of 1856. We had a right, therefore, to see that the engagements entered into in that year with respect to the Christian subjects of the Turkish Government were faithfully carried out. By making over the Ionian Islands to Greece we had given one more proof of our interest in the Greeks. In times of difficulty Eastern nations turned to us, notwithstanding our principles of non-intervention. Thus, in 1862, on the occasion of the bombardment of Belgrade, neither the Austrian Consul nor the French Consul was applied to; but the assistance of the British Consul was sought for. When the Throne of Greece was declared vacant, the eyes of the Greek nation were turned towards England, in the hope that a Prince of our Royal Family should become their King. The part our Government had played in that transaction was as unfair—he might almost say dishonourable—as any ever played by a Government under anything like similar circumstances. We had in every way led the Greeks to suppose that we should allow a son of the Queen to accept the Throne if he should be elected King, when at the same time we had no intention that he should do anything of the kind. This had been done to play a trick upon Russia, and prevent the election of a Russian Prince. The only point in which he differed from his hon. Friend (Mr. Gregory) was in the rather strong language he had applied to the Turkish Government. He thought the crisis was one that called for the exercise of the spirit of moderation. As an example of this, he was happy to be able to point to the despatches of his noble Friend now at the head of the Foreign Office (Lord Stanley). The sound and moderate views displayed in those despatches did the greatest credit to the wisdom and judgment of his noble Friend, and would do more to raise the character of our foreign policy than those wild phrases to which we had been accustomed from the Foreign Office in former days, and which had led the people of other countries to expect intervention when there was no intention to offer it on their behalf. The real point, however, for their consideration at present was, what was the state of Crete? Had the conditions of the treaty between Turkey and the British Government been faithfully carried out? Any one who had read the blue book must feel distressed at the state of things therein described, and at the barbarities that were practised. He knew that the massacre of the 500 had been disputed; but the fact of its being even a report showed that things were in a very bad way. At Constantinople the Christians had justice done to them, but it was different in the distant provinces of the Turkish Empire. If we turned to Greece we should find that a great advance had been made during the last thirty-six years. From published Returns it appeared that—

> "In 1830 the population of independent Greece numbered 650,000 souls; it is now 1,250,000; nearly double, exclusive of the Ionian Isles. In 1833 the revenue of Greece was 7,950,000 drachmas, equal to £280,000. The Budget of 1865 was Greece, £833,920; Ionian Isles, £171,684; total, £1,005,604. In 1830 the total quantity of currants grown in Greece was 6,000 tons. It is now 40,000 tons, from which the British Government derives an annual revenue of about £300,000. In 1830 oil was an article of importation. It is now largely produced, and in seasons of a good crop the exports reach to 8,000 tuns. In 1830 but few tons of figs were exported, now the exports reach 5,000 tons annually. In every village there is a free school where the poor can send their children. In many towns there are free colleges, and every person, irrespective of rank or station, can send his children to school or college free of all expense. It can be stated, without fear of contradiction, that the system of education in Greece is

> one of the most perfect in Europe. All masters of schools or colleges are bound to pass a rigid examination, and all professors, masters, and tutors are paid by Government. There is a national bank, the shares of which are at a high premium; a steam navigation company, successfully conducted; and there are some insurance companies. The Mercantile Marine of Greece numbers 5,000 flags, and there are shipbuilding yards in the island of Syra, Galaxidi, Poros, and other places in Greece. Athens, the capital of independent Greece, has now a population of 50,000 inhabitants; it had only 7,000 in 1830. It was then a miserable dilapidated town of mud huts and Turkish hovels. It is now much enlarged, and well lighted with gas, having stone and marble buildings. It has a university, colleges, free schools, asylums, observatories, libraries, museums, free hospitals. There are at present 1,500 students in Athens, coming from all parts of the East, and finishing their studies there."

It was charged against Turkey that 9,000,000 or 10,000,000 of Christians were ground down by 2,000,000 of Turks. In a book containing an account of the travels of two ladies, and published within the last two days, Miss Muir Mackenzie made this statement—

> "The Christian community at Nori Bazaar is at the mercy of the Mussulmans; they enter houses both by day and by night, take what they choose, and behave as they will. Raise an arm or speak a word and you bring on yourself death or the loss of a limb; make a representation to the authorities, and you are ruined by the revenge of those of whom you dared to complain."

And again at Ipek—

> "We are suffering what no tongue can tell, what flesh and blood will endure no longer. Our lives, our properties, our wives, our children are at the mercy of a pack of robbers. Our governors, our judges, and police—all are thieves, villains, and bloodguilty. If one among them would do better than the rest—if he try to do us ever so little justice, the rest fall on him and destroy him."

It might be said that those ladies had been deceived by false testimony; but it would be admitted that no man was more complete master of Turkish questions than Lord Stratford. And what did he say, writing to Lord Malmesbury, of an interview which he had with the late Sultan on the 6th of October, 1858?—

> "I submitted that little had been done in execution of the Hatti-Humayoun since its promulgation two years and a half ago; that a feeling of disappointment, and almost of despair, was on that account spreading throughout Europe; that the proofs of it were to be found not only in the remarks of private individuals and of public men in high stations, but in the Continental Press—in that of France particularly, and of late, to a certain extent, in the leading journals of England; that the necessity of a comprehensive reform having been recognised by the Ottoman Government, and corresponding measures proclaimed by his Majesty, it was most desirable to pass without any unnecessary delay from the old to the new system."

Such were the expostulations of Lord Stratford de Redcliffe. What did Lord Russell say? He used the same language in 1860 respecting the outrages in Syria—

> "This treachery, brutality, and cruelty on the part of those selected by the Sultan himself to govern his best provinces shows either some deep design to exterminate the Christians, or an unheard-of degree of weakness and apathy at Constantinople, or an amount of venality and corruption which it is difficult to credit. You must not be surprised that such feelings should be excited and such reflections made; nor would it be of any use to conceal from the Porte that either the whole system of the Ottoman Government must be replaced by one founded on integrity and justice, or the Sultan must prepare himself for the abandonment of his cause by his best and most persevering allies."

And then, what was the opinion of Sir Henry Bulwer? In a despatch dated April 24, 1860, Sir Henry Bulwer says—

> "Wherever the Turk is sufficiently predominant to be implicitly obeyed, laziness, corruption, extravagance, and penury mark his rule; and wherever he is too feeble to exert more than a doubtful and nominal authority, the system of government which prevails is that of the Arab robber and the lawless Highland chieftain."

His hon. Friend opposite (Mr. Layard), who was formerly well prepared to defend the Turkish Government, would of course do so on the present occasion. He did not think that this was a fitting occasion to exasperate this bitter question by making an attack upon the Turkish Government; but still, it was right that the truth should be made known, and that the House should be aware that the stipulations entered into with the Turkish Government in 1856 had never been carried out. It would be idle to hold out hopes or to make menaces which we were not prepared to act upon. It was apparent that this country could have no desire, having gone to war at one time in favour of Turkey, now to weaken her by promoting insurrection in any of her dominions. He thought it would be better for the noble Lord to consider whether representations could not be brought to bear on the Turkish Government, and whether steps could not be taken in order to overrule the tyrannical conduct of the subordinates of that Government, for he believed that the central authorities at Constantinople were anxious to put an end to the present state of things. He would suggest, for instance, that our Consuls should have more authority. He hoped that this discussion would give hon. Members an opportunity of approaching the subject in a moderate spirit, and of rendering good to those who were oppressed.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "an humble Address be presented to Her Majesty, that She will be graciously pleased to give directions that there be laid before this House, Copies of any Correspondence between the Foreign Office and Foreign Governments on the subject of the insurrection in Crete and the Turkish Fortresses in Servia; and of any Reports from our Consular Agents on these subjects,"—(*Mr. Gregory,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. LAYARD said, he very much regretted that his hon. Friend had thought fit to bring this question before the House at the present moment; more especially as, according to the latest information, the Ottoman Special Commissioner who had been sent to Crete had succeeded in bringing about a better feeling between the Christians and Mahomedans, both parties having sent representatives to Constantinople to state their grievances with the view of having them remedied. His hon. Friend commenced his speech by saying that he should be exceedingly calm and moderate while referring to the misfortunes which had befallen the Island of Crete. That promise, he was afraid, had not been kept. He agreed with the hon. Gentleman who had just sat down that his hon. Friend made use of terms, with reference to the Turkish Government and the insurrection, which ought not to have been used, and which might possibly lead to additional trouble. No doubt his hon. Friend did not intend to bring about any such result; but he really was not aware of the importance of speeches of that kind. He might be quite sure that his speech, or a very improved version of it, would be "crowned," as a broadsheet of *The Times* had been, at Athens or elsewhere. If it were accompanied by the other speeches which would no doubt be made on the subject, the consequences might not be so serious. But, unfortunately, everything which tended to encourage the insurgents was published in Greece, and everything on the other side was suppressed, the result being that the unhappy people were led to believe that some intervention would take place on their behalf, and were urged on to take a course which could only lead to fresh disasters. He could not wonder that there should be much sympathy with the unhappy people of Crete; but still, there were times when a statesman should take a broad and general view of questions like this, and not allow himself to be influenced by these feelings of humanity alone. The question to be determined was, what should be done in order to lessen the amount of suffering and bloodshed. Expressions of sympathy on such occasions might lead to still greater disasters. He was certain that no one could feel more for the Cretans than the noble Lord opposite (Lord Stanley), and no doubt that it was with great pain that he felt it his duty to give the orders directing English vessels of war not to aid the fugitives, and forbidding our Consular agents to distribute funds which had been raised on behalf of the distressed insurgents. That might, to some persons, appear unfeeling; but after all it was a wise and statesmanlike course of proceeding, for if a different course had been adopted, the only result would have been that the hopes of the insurgents would have been raised in vain, and more bloodshed must have followed. He must also say that the speech of his hon. Friend, though eloquent, consisted principally of vague generalities, which were utterly useless as data upon which to form a reliable opinion, or, indeed, were only calculated to mislead. The first question was this—What were the grievances of the Cretan population? The hon. Gentleman had made an excellent speech, but he had no practical acquaintance with the country, or with the dispositions of the people of the East. It was all very well to write generalities in an essay, but when a statesman had to deal with a question the case was very different, and to act upon such generalities might do infinite harm. He confessed he should have liked to see among the papers — if such a document were in existence — some report from our Consul in the island as to whether the complaints of the people of Crete were justified or not. We could not discuss the grievances of the Cretans until we had received fuller information respecting them. The hon. Gentleman was under a mistake when he said that he (Mr. Layard) had always defended the Turkish Government when they had neglected their duty. On the contrary, no man felt more indignation than he did at some acts which had been committed by its authority. He agreed with the hon. Gentleman opposite (Mr. B. Cochrane) that it was the duty of the Powers who placed Turkey in her present position to see that she fulfilled her engagements, and he had always been ready to condemn the Turkish Government whenever it had failed in this respect. No one had more frequently exposed the *laches* of that Government than he had; but if these particular grievances complained of by the Cretans were looked into they would not be found so serious as was supposed, and were certainly not such as to justify civil war. According to our Consul, the first grievance of the Cretans was a vicious system of farming the tithes, whereby more than a tenth part of the produce was levied. The oppressive mode usually practised for enforcing payment was also complained of. The system, however, was an old one, and existed in Greece as well as in Turkey; it had, however, been greatly modified, and even abolished altogether in many provinces of Turkey, and, as administrative officers could be found, the Turks were further reducing the number of districts in which the taxes were sold by auction. The next grievance was that undue influence had been exercised on the part of Ismail Pasha, the Governor General, in the late popular election of members of the Demigerondia. No doubt, some influence might have been exercised, but in Crete the Christian population were a large majority, and in some places Christians were the sole population; and any influence which might have been exercised was probably owing to the Christians themselves, and could not have been such as to justify a rebellion. Of the third grievance—the baneful practice of seizing hostages—he knew nothing. The last was the delays attending the adjudication of civil and criminal cases, and such delays occurred in other States besides Turkey. But look at the statements of the Cretans themselves, of their grievances as complained of in their address to the Sultan. The letter addressed to the Great Powers which the hon. Member had read came from Athens or elsewhere, and was no more Cretan in its origin than the hon. Member's speech. The first statement spoke not of the oppressive nature of the taxes, but of a prayer of the people of Sfakia that they should continue to be exempt from its taxation, as they had hitherto been—no allegation being made that taxes was about to be imposed upon them. They complained, secondly, of the badness of the roads; but what were the facts? In 1858, the Turkish Government sent a Mr. Woodward, an English gentleman, to make roads, but the Cretans compelled the Turks to renounce the attempt; first, on the ground that their object was to give military access to their country; and second, that the inhabitants of the village were required to contribute towards the expense. Another complaint was that the mode of electing the representatives of the people was defective; but was Crete the only country in which such a complaint was made? They further complained that the oil-sellers were also money-lenders, and that there were no banks; but it would be hard to lay the blame of these circumstances on the Turkish Government. The fifth complaint referred to the rejection of Christian evidence in the Mahomedan Courts as contrary to the Hatti-Humayoun. It was true, and he regretted it, that in the Mekhiameh or purely Mussulman Courts such evidence was not yet received; but, to remedy the evil, the Turks had established mixed tribunals in which Christian and Mahomedan evidence was equally received. There was no doubt that the Porte was bound to alter the law as regards the reception of Christian evidence; but some allowance must be made for the Turkish Government, which had great difficulty in contending with the feelings and prejudices of a dominant race that had been deeply rooted for centuries. The noble Lord (Lord Stanley) was quite right in reminding the Turkish Government that they were bound to fulfil their pledges to Europe, and that the first duty of the Goverment to the people of Crete was to carry out those promises. The establishment of schools, which was the subject of the next complaint, depended to a great extent upon the Christians themselves; and there was scarcely a Christian village in Turkey in which there was not a school supported by the people. The education given was as good as that received by Christians who were under the government of Greece. Even in this country it was but recently that we had assisted education by public grants, and it was, perhaps, too much as yet to expect the Turkish Government to make large grants to promote Christian education. Still, they had done so; and he had been in schools which had received liberal support from the Government and from the Sultan himself. There was, however, no need to discuss those grievances, because they formed no part of the causes of the rebellion in Crete. The Cretans themselves admitted this in their address to the Consuls. The Turkish Government knew it from the outset, as did the Governments of France and England. The only Government which did not, was that of Russia. Baron Brunow, however, ultimately, as was seen in a quotation already made, admitted that the insurrection was mainly caused by foreign intervention, and had for its object annexation to Greece. These alleged grievances were not got up by the Cretans themselves, but by foreign agents, in order to justify the movement in the face of Europe, and, if possible, bring about the interference of a European Power. To get at the real history of the Cretan insurrection it was necessary to go a little further back. He would advise the noble Lord (Lord Stanley) to lay on the table reports sent to the Foreign Office in 1858, when a rebellion was threatened in Crete, upon the ground of the grievances of the population against the Turkish Government. At that time Sir Henry Bulwer sent from Constantinople to Crete a gentleman of the highest integrity and impartiality, and better acquainted with the languages, habits, and customs of the various populations of Turkey than most persons. This gentleman—Mr. Longworth—reported, that although the Turkish Government had not done all that it ought to have done, the alleged grievances had nothing to do with the anticipated revolt; and, so far from the Cretans complaining of the Turks, if there were cause of complaint it was on the part of the Turks against the Christians, who had got so powerful in Crete, and were so much encouraged and petted by the Pasha, that they even presumed upon this favour to carry off Mussulman children and convert them to Christianity. Then, as now, insurrection was fomented by intrigues from Athens, and the "Head Centre" was M. Canaris, the Greek Consul. The English Consul, Mr. Ongley, having sent impartial accounts to Constantinople, was, as usual, attacked and covered with abuse; but the reports of Mr. Longworth, who was sent to inquire into his conduct, satisfied not only the English Ambassador, but the French and Russian Ambassadors; and the result was that the exequatur of the Greek Consul was withdrawn to the satisfaction of all the Powers, the Greek Government never venturing to remonstrate. The intrigue ceased as soon as the cause of it was removed; and for eight years Crete enjoyed peace. The breaking out of the great war last year was considered a fitting opportunity to get up the Eastern question, and Crete was more at hand than Servia. The movement for independence and annexation to Greece was instigated, directed, and supplied with money and volunteers from Athens, without which the Cretans themselves, had they risen of their own accord, would have submitted long ago. He had read with great satisfaction the Correspondence produced by the Foreign Office. The noble Lord (Lord Stanley) had throughout taken a most wise and statesmanlike course — the only course that could be taken by a responsible Minister. It was all very well in that House to declaim against the Turks, but it was another matter when it came to practical statesmanship. The noble Lord had urged the removal of all just causes of complaint; he had reminded the Porte of its obligations to Europe; he had urged upon the Porte, in suppressing the revolt, to treat prisoners with kindness and humanity, and to endeavour, as much as possible, to prevent the effusion of blood; and, at the same time, he had wisely entered a protest against the course taken by Greece, which sought, not the welfare and happiness of the people of Crete, but the gratification of ambitious designs. His hon. Friend had said that France was pursuing in the East a much more enlightened policy than ours. That might be, but he rejoiced that, in the Cretan question at least, France had gone entirely with us, and the other Powers—including Russia herself—had come round to the same way of thinking. He protested against the proceedings of Greece as unjust, unfair, and wicked, calculated only to raise constant rebellions in the East, and to destroy there every hope of the Christian population developing their resources, increasing their wealth, and placing themselves on a par with their Mahomedan neighbours. As regarded Greece, Turkey had been a good neighbour; she had fulfilled all her engagements to her. There had been times when Turkey might have done Greece the greatest harm, when she might have taken advantage of her internal condition to strike the severest blow, and from the conduct of Greece she would have been justified in doing so. Turkey, in fact, had been most unjustly treated by Greece. From the time of her acknowledgment of Greece he defied any man to say that Turkey had broken one of her engagements to that kingdom. Hon. Gentlemen had talked of the increasing wealth of Greece. But how had it been chiefly obtained? To whom was it owing? To the liberality and neighbourly feeling of Turkey, who had freely opened her coasting trade to Greece, and had placed Greek subjects on the same footing as her own. They had said that the revenues of Greece had increased from £200,000 to £900,000. Well, but if Greece had obtained such an enormous increase of revenue, why had she not paid what she owed to other nations? Had Turkey acted in that way? Had she not paid her debts? [An hon. MEMBER: How?] He cared not how; but she had paid her debts, and at very great sacrifices. So little regard had Greece for her international relations, that we find from the despatches on the table that M. Tricoupi, the Greek Foreign Minister, actually claimed a right to excite insurrection amongst the populations of Turkey, and coolly proposed to desist from doing so in Thessaly and Epirus if the European Powers would connive at his proceedings in Crete. What other nation would tolerate the course which Greece had pursued? Turkey, by the simplest possible means, might have stopped the trade of Greece—she might have turned the Greek merchants out of her ports and cities, but she abstained from doing so. He must say we were in the habit of treating Turkey very unfairly. Before a rebellion broke out we prevented her from interfering. When the rebellion had broken out we condemned her for needless severity in suppressing it. We accused her of not giving liberties and privileges to her Christian subjects, and the moment they were given we connived at their being turned against herself. All he asked was that she should be treated with common justice. He would appeal to his hon. Friend the Member for Westminster (Mr. Stuart Mill), whether that could be called a liberal and Christian policy which denied the commonest justice to a Turk because he happened to be a Mahomedan in religion, or that maintained that what was right as regarded a Christian was wrong with respect to a Turk. But that was the kind of language that was adopted by hon. Gentlemen in that House when they talked of expelling the Turks and giving the Greeks their rights. The Turks in Europe were very much like what the English were in Ireland, and if there was a difference it was in their favour. In parts of Turkey—such as Roumalia—the Mahomedan owners of the land were for the most part, no doubt, descendants of the original conquerors, amongst whom it had been partitioned, as amongst the English conquerors in Ireland; but in Bosnia, Epirus, and Crete, the land was held by the descendants of the ancient Christian proprietors, who had changed their religion at the time of the conquest—men whose land-rolls and pedigrees went, perhaps, further back than those of any families in this country—they went back beyond the Middle Ages. Well, were they not just as much entitled to their lands as Christian people? But his hon. Friend would say, "Nobody wants to turn them out." [Mr. GREGORY: Hear, hear!] That might be the opinion of the hon. Gentleman; but had he ever spoken to a Christian of Greece, of Servia, or of Bosnia, on the subject? Their opinion was not that the Mahomedans should be allowed to remain in the country, but that every man, woman, and child should be dispossessed of his land and property, as had already been done in Servia, and turned out of Europe. But was it so easy to do that? Did his hon. Friend know what the amount of the Mahomedan population of Turkey was? According to Mr. Longworth, it was not far from 4,000,000; according to German authorities, it was 3,500,000. It would be no easy thing, to say nothing of the question of humanity and justice, to drive such a population as that from house and home, from goods and lands, to starve. This was not merely a political question, it was a religious question, also, and one not merely between the Mahomedans and the Greeks. Such was the religious animosities amongst the populations of the East, that if they gave power to the Greeks to-day, the Greeks would, he ventured to say, expel all the Roman Catholics or compel them to become Greeks. But there was another question. Would the Turks consent to be handed over to the Greeks? Let his hon. Friend think for a moment on the infinite mischief to which such opinions as these propagated by influential people might lead. In the first place, the Turks in Europe were a warlike population, and they knew perfectly well what the intentions of the Christians were. Did his hon. Friend suppose they would give up, without a struggle, their lands, goods, and houses, and allow themselves, their wives and children, to be driven out of Europe as starving outcasts? The only effect of the policy advocated by his hon. Friend, if adopted by any Minister whatever, would be to excite such a rising of Mahomedans in Turkey in Europe, and such a massacre, as the world had never seen. And if the Mahomedans were driven out through the active intervention of foreign Powers, and after a prolonged war—for it could be accomplished by no other means—what would be the consequence? There would be 2,000,000 or 3,000,000 of women and children thrown starving on the world, in addition to a terrible slaughter on both sides, and what man would take upon his shoulders the responsibility for that and all the blood that would be shed? It was all very well for his hon. Friend to disclaim any such intentions. But with the Turks it would be a struggle for life or death, and they would make it so when the time came. There was a second consideration. We, like the Turks, governed races from which we differed in religion, and who were impatient of our rule. We held many millions of Mahomedans in India under our sway, and they might say, "If Mahomedans have no right to govern Christians, Christians have no right to govern Mahomedans." And if they found us backing up the Christians in murdering the Turks, who would guarantee the security of affairs in India? Let his hon. Friend only turn to the history of the rebellion in India, and he would see how much it had been influenced by events in Europe. It was of the utmost importance that this country should keep a just position between Christians and Mahomedans, and not sacrifice the Mahomedans to the Christians, any more than the Christians to the Mahomedans. He wished to see both races fairly treated, and that was the principle for which he had always contended. And if his hon. Friend wished for a proof of the good effect which that policy had exercised in the East, he will find it in a despatch amongst the papers from our Consul in Epirus, who describes the result upon the Mahomedans of that country of the fear that we were about now to abandon it, and to sacrifice Turks to Christians. Suppose the Cretans had obtained what their friends at Athens desired—annexation to Greece—would they have improved their position? The noble Lord the Foreign Secretary had put the case so fairly in a despatch to Mr. Erskine, under date of December 11, that he hoped he might be allowed to quote from it. The noble Lord said—

> "It can scarcely be doubted that if the insurrection had not been countenanced and supported from Greece tranquillity would have been long since restored; and if the King or his Government should urge, in justification of their conduct, that they are seeking to improve the condition of the Christians in Candia by emancipating them from subjection to the Sultan and incorporating them in the kingdom, you will not disguise from them that, looking to the results of the recent incorporation of the Ionian States with the Greek Kingdom, and to the disorders which prevail, and appear to be on the increase, throughout the Greek Provinces, it may well be doubted whether the Candiots would derive any substantial benefit from the transfer of their allegiance. Certainly no impartial person would view the present state of things in the Ionian Islands, and in Greece itself, as affording encouragement or justification for an attempt to bring other countries under the same Government, however faulty may be the system of administration under which such countries may now be held."

Any one reading the blue book would rise from it with the conviction that Mr. Erskine had shown a rather unfair bias against the Turks, and had too readily credited the stories of the Greeks to their prejudice; yet even he, writing to Lord Stanley on the 29th of December, said—

> "But the most serious statement I have yet heard for the cause of the insurrection is that a very bad feeling has sprung up between the natives and the Hellenic volunteers. If they fall out thus early in the day, what will it be should the Hellenic Government hereafter be permitted to extend its baneful rule to this unhappy island?"

His hon. Friend had spoken of the miserable condition of Crete, but that island was not overrun with brigands as Greece was, a person being scarcely able to leave Athens without falling into their hands. Then, with regard to the Ionian Islands, had he read the reports received from our Consuls at Zante, Corfu, and elsewhere? Those reports stated that the improvements and public works which the English Government carried out were all neglected and falling into ruin; that justice is no longer administered; that that distinguished patriot Lombardo, whose cause the hon. Gentleman had advocated, the great regenerator of those islands, the great promoter of their removal from British rule and of their annexation to Greece, was keeping Zante in a state of terrorism such as had never been equalled in any country. He sent bands of armed men, who went about murdering those who refused to vote for him or to support his plans. People were assassinated by them in the open streets and in coffee-houses, nobody, not even the police, daring to interfere. These atrocities had risen to such a pitch, that the Greek Government were obliged to send an honest man thither as chief of the police; but Lombardo soon afterwards became Minister of the Interior, and this officer, who was succeeding in placing some check upon the anarchy and licence which prevailed, was speedily deprived of his office. It was evident, therefore, that Crete would gain nothing by annexation to Greece. It had been suggested that Crete should have what is termed her "autonomy," like Servia and the Danubian Principalities. But Crete, unlike those provinces, had a mixed population, and the difficulty was to provide a form of government which would deal fairly with both Mahomedans and Christians. The Mussulman population was fixed by some at 90,000, and by others at 60,000. He would take a mean between these figures, and would assume that the number was 70,000 or 75,000. Now it would be manifestly as unfair, knowing the antagonism which existed between them, to put these Mahomedans, who were for the most part landed proprietors in the island, and just as much Cretans by race and language as the Greeks themselves, under the Christian rule, as to put the Christians under the Mahomedan rule. In some of the other dependencies of Turkey autonomy was enjoyed, but the population there was not of so mixed a character. In Samos, for instance, which was governed by a Christian and by local councils and laws, the Mahomedans were so few that they could not be taken into account. In Crete, however, the circumstances were different; and it would, he thought, be wise and prudent for the Turkish Government to find some plan, as by the Governors being alternately Christians and Mahomedans, which would satisfy, and protect the rights of, both Mahomedans and Christians. The noble Lord opposite (Lord Stanley) would, no doubt, be able to make some suggestion with this object. Before leaving the subject of the annexation of Crete to Greece, he wished to make a remark. With respect to the Ionian Islands, he thought we were right in giving them up, because we occupied an invidious position from which we derived no advantage. We allowed the freest expression of opinion, and that freedom consisted in allowing those who were adverse to English rule to agitate as much as they liked, while there was no demonstration of opinion on the other side. The result was that a great outcry was raised against us by Lombardo and others, who were supposed to represent the popular feeling, and the opinion spread throughout Europe that our rule was odious to the people. He regretted that our connection with the Islands had ceased, not for our own sakes but for the sake of the Christians of the East; for though, no doubt, there were faults on our part, our government was by far the best in the East. In the Ionian Islands there was a large and contented population, who while under our protection were very lightly taxed, and were gradually being trained to habits of self-government, for which, doubtless, the next generation would have been fitted. They enjoyed a national Assembly and a free press, and formed a little Greek community around which other Greek communities might have gathered, and from which they might have learnt the art of self-government. The spectacle of an island so well administered would have afforded them a valuable example, and have stimulated them to establish something on the same model in their own provinces. All hope of this was now destroyed, and he thought this a great loss to the Christians of the East. His hon. Friend had denounced the Turks for the barbarities which were imputed to them, but he utterly disbelieved many of those stories, and anybody reading the Correspondence would see that they had, for the most part, been disproved. Barbarities had, no doubt, been committed, such as required no exaggeration, but they had been practised by the Christians as well as by the Turks, the former perhaps being the more ingenious in their tortures. But he could not help pointing out this great difference, that whilst the Ottoman Government condemned and did their best to punish them, though they could not always reach their officials, the Greek Government, without exception, palliated or justified them. The humane manner in which the Turkish Government treated even Greek emissaries who were captured red-handed, was acknowledged even by the prisoners themselves. One of them, M. Manos, a Greek officer, who was taken in the redoubt at Vrysses, was stated in a despatch by Mr. Erskine, at page 93 of the "Correspondence," to have written to his family to inform them how humanely, and even generously, he was treated by Mustapha Pasha. The testimony of other Greek prisoners was to the same effect; and we find the

Turkish Government actually sending their own vessels of war to transport back to Greece the volunteers who had been the principal cause of the insurrection in the Island, and had caused so much Turkish blood to be shed. What course would Christian nations have pursued under similar circumstances? Let us look a little more at home, and consider what had been done by ourselves in the East and in the West under similar circumstances. Even Mr. Erskine, in a despatch, in which on rather dubious authority he imputed great atrocities to the Turks, was obliged to add that similar barbarities were perpetrated by the Christians. No doubt horrible deeds had been committed, but these were inevitable whenever an insurrection was raised, and whenever two barbarous races came into collision. He had himself seen barbarities practised by both sides, and could tell stories which would make his hon. Friend's hair stand on end. A friend of his saw the bodies of fifteen Turks who, having been captured in Epirus, had been covered with pitch and then set on fire and burnt slowly to death. A Greek patriot crossed over from Greece to liberate the suffering Christians in Turkey, and what he did was to carry off a whole school of Christian children near Monastir, boys of eight or ten years old, whose ears he cut off and sent to their parents with an intimation that unless a certain ransom was paid their heads would follow. They were saved chiefly by the intercession of an English officer. Some doubt having been expressed as to the truth of the story, the Consul at Monastir actually enclosed in a letter to the Embassy at Constantinople some of the ears thus sent to the unhappy parents. He himself witnessed the horrors committed by Greek "patriots" who were sent to liberate Thessaly. Their course was marked by robbery, pillage, and violation, and the population were obliged to appeal to Fuad Pasha to protect them from their liberators. He did not cite these facts as any justification of the Turks, but only to show with what barbarous races we had to deal. Both races were equally barbarous, and the only way to put a stop to their barbarities was not to encourage one party against the other, but to bring the public opinion of Europe to bear upon the Governments of both Turkey and Greece. The Christians had the advantage of a press. The moment a Mussulman, whether by accident or design, killed a Christian, there were letters in every newspaper in Europe denouncing the barbarity of the Turks; but we never heard of the atrocities committed by the Christians, except occasionally, when a British officer happened to be an eye-witness of them. Had not the officers of a British man-of-war witnessed the horrible and disgraceful attack of the population of the Piræus on the Greek volunteers who had been brought back to Greece by the humane exertions of the Turks, we should not have had the account of that attack contained in the blue book—we should not have known that some of these unfortunate people had had their brains knocked out with paving stones, and had been held under water until they were drowned, only because they had returned from a hopeless insurrection. Fortunately, we had a Consul at Syra, or we should never have heard of the murder of an unfortunate Mahomedan who happened to land there from a steamer, and whose only crime was being "a Turk." Yet such things happened almost daily, and it would be found on examination that as many atrocities were committed by Christians as by Mahomedans; while, if the government were reversed, the atrocities that would be resorted to by the former would be infinitely greater than those that had ever been committed by the Turks. This was a bold thing to say, but he stated it because he knew the hatred which was borne by the Christians towards the Mahomedans, and the religious animosities that existed between the Christians of different sects. He did not wish to take the part of the Turks; but he thought it unfair to condemn them merely because of their religion, and he desired to take an impartial view. It was all very well to have these debates which only tended to encourage the Christians to rise against the Turkish Government, but those who suffered were beyond the help of the House. Nor could they hope anything from Greece. No service was done to them by encouraging them to rebel. They were not to be liberated—if they were to be liberated at all—or created into an independent Power, and the Turkish population expelled, without the aid and direct assistance of the European Powers. No doubt, if the European Powers could be got together and brought to an agreement they might expel the Turks, at an enormous cost. Until, however, the European

Powers were prepared to intervene—and modern policy did not run greatly in favour of intervention—it was only doing those unhappy Christians an incalculable mischief to encourage them in these hopeless rebellions. He believed there was a future in store for the Christian population of Turkey. They were rapidly improving in wealth and intelligence; and this fact, which had been generally admitted, and indeed urged in their favour in this debate, did not agree with the terrible accounts of Turkish oppression and misrule which were given by his hon. Friend. If the English ladies, to whom his hon. Friend (Mr. Baillie Cochrane) had referred, could only relate the idle stories that were told to every traveller in Turkey, they might as well have staid at home. He had heard similar stories over and over again. If life and property were so insecure as they described them to be, was it possible for the Christian population to go on improving in wealth and intelligence? The Turks were now under the influence of the public opinion of Europe. Since he first knew Turkey an incalculable improvement had taken place. Some years ago Christians were not allowed to ride on horses in certain towns in Turkey, and were compelled to wear certain dresses. Those restrictions, and nearly all others which made a distinction betweeen the two creeds, were now done away with, and the two races were beginning to find that it was for the advantage of each that the rights and property of the other should be respected. Events were rapidly bringing the two races together, and the only danger was lest animosities and mutual hatred between them should be kindled by Motions of this kind, and by injudicious or ambitious foreign interference. He felt certain a time would come when some method would be found by these populations themselves for coming to a better understanding. The Turks would see it to be to their advantage to concede to the Christians the rights they ought to possess, and the Christians on their part would find that the Turks also had their just rights. Thus mutual concessions would be made, and a form of government might be ultimately devised in which all sects would be fairly represented, and the rights and privileges of all be respected without great and manifest injustice being done to either Turks or Christians.

Mr. DARBY GRIFFITH said, he agreed with much that had fallen from his hon. Friend opposite; but with regard to the future, he had entirely failed to shadow forth any solution of the question. He believed that under certain conditions and stipulations there were countries under Turkish dominion more fortunate than those under certain other Powers, with higher pretensions to civilization. The course which he recommended last year in the case of the Danubian Principalities had since been carried out, and those countries had been entirely liberated from the intervention of Turkey. The negotiations had resulted in the abandonment of the *quasi*-rights of the Sultan, and in the acceptance of Prince Charles of Hohenzollern as Hospodar of Wallachia on almost his own terms. The only interest that England had in the matter was that the populations of the East should live harmoniously together, and England was the only European Power which had no interest in the acquisition of any fresh territory. He thought the prudence displayed by the noble Lord at the head of the Foreign Office (Lord Stanley) was the best quality to be exercised in a case of this kind, though it was different to the adventurous policy which they had formerly been accustomed to at the Foreign Office, and which they at one time used to hold in high estimation. He thought the way in which Moldavia and Wallachia had been dealt with ought to be the manner in which the Turks should deal with Servia. Every one knew that after a long and gallant struggle Servia had gained substantial independence, and that the last remnant of Turkish rule consisted in the possession of the fortresses along the line of the Danube. These fortresses were perfectly useless to the Turkish authorities. They consisted for the most part of dilapidated battlements, which could be commanded from every surrounding hill. The only one which was of any military value was that of Belgrade; but he believed the main reason that induced the Turks to maintain it was one of a sentimental character, because it was said to be one of the old historical fortresses of Turkey. But it had belonged to Austria as well as to Turkey, having in fact been taken and re-taken many times within the last 400 years, till at last by treaty provision it was made a Turkish fortress. The city of Belgrade, the capital of the province, was placed in the position of a mere suburb of the castle, and the palace of the Prince was within three-quarters of a mile from the fortress, and therefore within reach of its guns, which the bombardment of 1862 had so fully demonstrated. The occupation, therefore, of that fortress by the Turks was a standing insult as well as a menace to the Servians, and it was impossible that the city could flourish while it and its inhabitants were liable to be annihilated at any moment that the Turkish *employés* chose to bombard them. In the interest of the Porte herself it was desirable that she should give up these fortresses, which cost her some £200,000 a year, while the entire tribute she obtained from Servia was only £20,000. At this moment he was afraid that the demands of Servia were on the point of reaching their climax, and that they would no longer remain in their present state of humiliation. There would be an outbreak ere long in that country, if the grievance he was referring to was not redressed—which would be very likely to extend into other districts. He hoped, therefore, the noble Lord would take the example of the proceedings with regard to the Danubian Provinces, and urge on the Porte to follow that example in regard to Servia, by yielding to the strongly-expressed wishes of the population and withdrawing from the fortresses. He recommended these considerations to the noble Lord, and he left the case with great confidence in his hands. He knew the calm and clear reason which operated in his mind; and though, as he had said, these were not the qualities which they had been accustomed to see in the Foreign Office, yet they were not the less valuable on that account.

MR. GLADSTONE: Sir, I should be very sorry if, with regard to Turkey, we were not to treat her with the respect that is due to an independent Power responsible for the government of an extended territory. At the same time, with reference to many of her provinces, and even her general concerns, circumstances have at various times placed her in such a position that we are entitled, and indeed in many cases bound, to entertain questions affecting her internal relations to her people such as it would be impertinence to entertain in respect to most other foreign countries. With so much of apology, I must say I cannot help being of opinion that there is great good sense and justice in most of what has fallen from the hon. Member in regard to the case of Servia. We cannot expect Turkey to conform her notions to ours. All we can expect is that where she has contracted either legal or moral engagements she should fulfil them, and that where she is under no such engagement she should lend a willing ear to counsels in themselves judicious, and which aim solely at the promotion of her interests. When we reduce the question of the retention of the fortresses of Servia by Turkey to this issue, the sole issue—how far such retention can serve the interests of the Ottoman Government—it appears to me impossible that that question can receive any answer but one in the negative. I am not aware of any purpose of utility, whether for peace at home or for defence against foreign Powers, which Turkey can accomplish by military possession of Servia; while, unquestionably, the monetary burden which it imposes on her adds to the inconvenience of her financial condition, always difficult. At the same time, such possession keeps up a painful feeling of irritation between the people of Servia and those of Turkey, which is a constant source of danger. I cannot, therefore, but subscribe to the opinion of the hon. Member, and hope that at the present or some other time, an opportunity will be taken of tendering some friendly counsel on the subject from this country to the Ottoman Porte. But a great part of the interesting discussion of this evening has been devoted to a point which at this time will enlist more of the sympathy of the House—namely, that connected with the—I do not know whether I should say recent, or still existing disturbances in Crete. I am hardly able to subscribe to the proposition we have heard to-night that the grievances of the island of Candia have had nothing to do with the production of those disturbances. I expressed a hope on a former occasion that when Her Majesty's Government laid the papers on the table, those papers would show that the Ottoman Government had fulfilled its engagements—I do not mean written engagements only, but moral, substantial engagements to Europe about the existence of which there can be no doubt. If there has been a prompt and faithful performance of the stipulations of what is known as the Hatti-Humayoun of 1856, I am not able—after reading those papers—to affirm that they show it. This book does not contain evidence to that effect; but if the noble Lord (Lord Stanley), with his more extended and accurate knowledge, is able in his place to say that Turkey has completely and fully accomplished the engagements she entered into, I would receive that assurance with great satisfaction and willingly bow to the opinion issuing from such a source. For upon that question depends another—namely, whether the responsibility of those disturbances of Crete, and of the barbarity, the cruelty, and devastation which have taken place there, lies at the door of those immediately concerned in the outbreak or of the Government under which they live. I do not think after the speech of my hon. Friend the Member for Southwark (Mr. Layard) it can rightly be said that the rights and claims of the Turkish Government are inadequately or inefficiently or even only sufficiently represented in this House. I must say that the case of Turkey against Crete has been stated by my hon. Friend much better than it is stated in the document itself contained in this blue book. But it is fair to admit, and I should not hesitate to admit, that, in addition to any grievance that might have arisen from the non-performance of the Hatti-Humayoun, there has been the deeper grievance resulting from the strong Hellenic feeling which pervades the population. Some at least of the population would be disposed to avail themselves of every opportunity to give effect to that sentiment of nationality. I also agree with what has been stated with great force by my hon. Friend the Member for Southwark, and by my hon. Friend the Member for Galway, as to the extreme responsibility incurred by those who in this House deliver statements which, going forth, perhaps, in a garbled form to other countries, may be the means of fomenting disturbances or of prolonging efforts which, whether they be right or whether they be wrong in themselves tend in the actual condition of things to expose to greater dangers those by whom they are undertaken. In such a question as that of the liberation of Greece, the statesmen of England would have made themselves deeply responsible if they had encouraged the people of that country in their struggle for freedom. I would not venture to say one word which would have the effect of encouraging the people of Crete to throw off the Ottoman rule. But as far as regards the stipulations of the Hatti-Humayoun, we are not only entitled from our position to advise Turkey in her own interests, in her regard to humanity, in her sense of justice, in her desire to be a civilized European Power, to fulfil those engagements; but we are also entitled to say to her that her fulfilment of those stipulations is a matter of moral faith, an obligation to which she is absolutely bound, and the disregard of which will entail upon her disgrace in the eyes of Europe. I am happy to observe that, as far as I can gather from the papers before us, the noble Lord at the head of the Foreign Office (Lord Stanley) has exhibited much discretion and forbearance in this matter. I agree in the opinion that he rightly determined to observe and to enforce the laws of neutrality, even though at the expense of the calls of mere humanity. The calls of mere humanity it was his duty to repress, and he has repressed them. It was right and wise to say that he would not encourage the separation of Candia from the Ottoman Empire; and it was also right and wise to point out to the Ottoman Porte, as he has done, especially in his despatch of the 17th of January of this present year, that the true policy of the Ottoman Empire, its only policy—the only possible course which it could take in relation to the Powers of Europe, with peace and satisfaction to others as well as to itself—was to do full justice to the principles of the Hatti-Humayoun, and to allow the Christians under their rule to feel that, though nominally under the sway of a Mussulman Power, they enjoyed all the advantages of a Christian Government. I cannot but hope that, within the last year, we have seen a step in advance, in that policy adopted not at the first moment, but after a brief delay—which it is not for us to complain of—in the case of the Danubian Principalities. The literal application of it may be impossible; but I hope that the principle acted upon in that instance may be adopted throughout the European provinces of the Ottoman Porte. My hon. Friend the Member for Southwark has pointed out, and the noble Lord points out, the difficulty in the case of Candia, which arises from the presence of a Mahomedan population, which, though numerically small as compared with the Christian population, is in possession of domination and ascendancy from ancient times, and is in a more powerful position in consequence of the property and rank which belong to its members. I do not, therefore, pretend to say that the same arrangements as those which have been adopted elsewhere are applicable to Crete; but we are entitled to require from Turkey the execution of her literal engagements, and we are entitled to recommend to her such a policy as the noble Lord has put before her in his despatches. I trust that what has been done by Turkey in the Danubian Principalities may promise for the future the existence of such relations between that country and her provinces as will conduce in the highest degree to the interest of both parties.

Lord STANLEY: Sir, I do not feel it my duty to take part in that animated controversy respecting the comparative merits of the Turkish and the Christian races which has been carried on with so much ability on both sides of the House, and with a knowledge of local details probably unrivalled in this country, by the hon. Member for Southwark. Neither shall I go into the question of the foreign policy on Eastern matters, pursued by England in former times. Every age and every generation has its own policy—one suited to its ideas and its wants. My business is not to question what was done in former times, but simply to explain, and if necessary—I am happy to say from the course of the debate that on this occasion it does not seem to be necessary—to vindicate the course which the present Government have taken. Two questions have been raised—one relating to Crete, the other to Servia. As to Servia the explanation will be brief, but I trust satisfactory. We have, after much deliberation and in concert with other Powers, advised the Porte to make such concessions as appear to us to be necessary to meet the natural and reasonable wishes of the Servians. We hope that those concessions will bring about a good understanding, and we have recommended them with all sincerity in the interest of the Turkish Empire, because it is impossible to doubt that a serious outbreak in Servia at the present time would be one of the greatest misfortunes that could occur to Turkey. We have endeavoured to offer that advice in such a manner as to leave with the Porte itself, to whom it more properly belongs, the initiative of making those concessions which we consider necessary; because it is obvious that they would lose much of their grace and value if they were made, or seemed to be made, at the dictation of any foreign Power. I am not able at present to say more than that the representations which we have thought it our duty to address to the Porte have been made in a spirit of moderation—in a spirit which is fair, friendly, and conciliatory. I hope, therefore, that these representations will not be wholly ineffective. At the same time, no positive answer has been received, and I think the House will agree with me that while correspondence is still being carried on, and while negotiations are pending, it would not conduce to the object which we all have in view if the papers asked for by the hon. Gentleman were laid upon the table. When the matter is settled I will produce them. With regard to the perhaps larger, certainly more urgent, question of Crete, it is even less necessary that I should explain in detail the views of the Government; because those views have been stated very fully upon many occasions in the papers which I presented a few days ago. I have been asked by several speakers what we consider to be the real origin of the insurrection. A more difficult question it is impossible to put or to answer. It is very hard to get at the truth in any of these matters. Impartial witnesses are few, and, as a general rule, statements received from the two sides are not merely divergent and conflicting, but absolutely and flatly contradictory. I do not for a moment doubt that local grievances have to some extent existed, and I do not doubt that the administration of Candia has not been what we should consider a good one in a civilized country accustomed to regular Government. But what is the precise magnitude of the grievances of which the island may have had to complain is a question which I am utterly unable to answer. However, whether local grievances have had any part in causing this insurrection or not—in my opinion they have had some part—I am clear that they have not been the sole causes. There is another explanation which more readily occurs. I think it has been from the first—or at least from the moment when it began to be serious—a movement, not for the redress of any local abuses, but a movement of a religious and a national character in favour of entire separation from the Turkish Government. Nor is it unnatural that a feeling of that kind should have existed. These Hellenes—for, no doubt, the centre of the movement was in Greece, though the disturbances broke out beyond the limits of that country—had observed the great success attending other movements in favour of nationalities. They had seen Italy made a nation, and Germany to a great extent united, and I do not think it unnatural that they should believe that their time had come. The movements they had witnessed in other countries re-acted upon them. Then I have been asked questions as to acts of cruelty and barbarity which are said to have taken place. I am afraid there have been many of these on both sides. I am afraid this will always happen, where you have, in a country—which the hon. Member for Southwark has rightly described as semi-barbarous—wars of religion and of race. In such a country, and in quarrels of that nature, it is impossible that these acts of atrocity should not occur. Of such acts, I fear the blame must be pretty equally allotted to either side; but as to the extent to which they took place, it is not easy to judge. In the first place, one must not trust everything that one hears coming by native report from the interior of Crete. It must be borne in mind that the acts said to have been perpetrated have very seldom been witnessed by any one except the combatants themselves, who are not in a frame of mind to send impartial reports. I ought, in passing, to say that the truth of the most horrible story of all—that of women and children been allured to the shore by a Turkish vessel hoisting the English flag, and then fired upon—has been entirely denied on the part of the Turkish officers, and, for the credit of human nature, I hope it is not true. As to what has happened there, I do not know that it is much worse than what we unhappily know to be true—I mean that attack by the mob of the Piræus on their own volunteers, in which several lives were lost, and where there was no other provocation than that these unfortunate men had returned home unsuccessful. It is just also to say that whatever acts of cruelty may have been committed by the troops—and where irregular troops and Albanians have been employed these are almost sure to happen—there is not the slightest evidence to show that they have been in any case sanctioned, or even tolerated, by the Turkish Government. The prisoners who have fallen into the hands of the Turkish officers have been, as a rule, humanely and fairly treated. I do not know, after the very indulgent criticism which has been passed in this House on the policy of the Government, whether it is necessary for me to enter into any vindication of that policy. Some remarks have been made as to the decision to which the Government came when they were requested by several persons to send ships of war to take off the refugees. We never came to a decision with more regret. I myself never came to a decision with more personal pain; but never, also, with a clearer conviction that we were right, and were taking the only rational course which was open to us under the circumstances. It is simply impossible for any one who did not closely watch the insurrection, to understand the eagerness with which the slightest symptom of armed intervention on the part of the Western Powers was looked for by these insurgents, or the readiness with which any act which could be distorted into an act of intervention was caught up by them. I am quite sure that if we had given the assistance which was desired it would have been considered as a symptom of armed interference on the part of the European Powers; would have prolonged the hopeless struggle; and been in consequence the cause of ten times as much suffering as has been actually undergone. There is another point of view in which we were bound to consider this question. There are duties of neutrality, and though no one wishes to overstrain them where considerations of humanity come in, they nevertheless constitute an obligation which it is impossible to disregard. But to send troops in the rear of an insurrection for the purpose of taking away non-combatants or of assisting on the spot the families of those who are at that very time in arms, is giving aid and comfort to one of the belligerents. To my mind it is clear that that would be a breach of neutrality. It is certain that we should not have been allowed to take such a course in the case of a war between two strong European Powers, and I do not think there ought to be two rules, one for strong Powers, and one for weak ones. As regards the general question under discussion, there were only three alternatives which the Government could adopt. One was to carry out the principle of non-intervention in the strictest and most literal sense, by taking no notice at all of the whole matter. That alternative, however, I may at once dismiss from consideration. Another, which has sometimes been urged upon us, was, "Why, if you were giving any advice in the matter, did you not at once advise the cession of the island to Greece, and so put an end to the whole dispute." In answering that, I will not refer to the state of the Greek kingdom. I think that the truth as to the present state of Greece lies somewhere between the rose-coloured view of my hon. Friend behind me and the gloomy picture painted by the hon. Member for Southwark. It is impossible to say that the state of the Greek kingdom is at present satisfactory, but I do not think that alone is a reason which ought to have stood in the way of the annexation, had it been on other grounds expedient. The Greeks are a most intelligent and patriotic race. They have had to struggle against immense difficulties, and have had but a very limited time for exercising their unfettered energies. It is less than a quarter of a century since they became possessed of a Constitution. Under these circumstances, we ought to make every allowance for them, and ought not to bear too hardly upon them for what they may have done or left undone. But the reason which weighed with us against advising the annexation of Crete to the Greek kingdom was, first, the certainty that such advice would not be listened to. The Porte would not have been willing to listen for a moment to a suggestion that it should surrender any part of its dominions except under coercion, which is not the policy of this, or, as far as I know, of any other European country to employ. In the next place, if we gave advice professedly in the interest of Turkey we were bound in justice to look at the matter from a Turkish as well as from a Cretan point of view, and I think the Porte might fairly say that whether or not it would be an advantage to be rid of this one disaffected province, still the precedent would be almost fatal to the Empire; because if it came to be understood that in any province an insurrection were to be followed by a recommendation on the part of a European Power that the province should be ceded, that would be a premium on disaffection, and in process of time the Empire would be dismembered. Then I come to the third course, and pass on to the friendly criticism of the right hon. Gentleman opposite (Mr. Gladstone). The right hon. Gentleman rather hinted than said that we might have pressed our advice a little more strongly on the Porte, and he reminded me of the rights which, by the Treaty of 1856, the Christian subjects of the Porte possessed. I do not deny those treaty obligations. I assent to the doctrine laid down in respect to them; but we must remember that a demand for a separate administration for Crete was far more than could be claimed by any treaty rights, which relate to the toleration of Christians in matters of religion and their admission to give evidence on equal terms with other persons in courts of justice. So much we should have been entitled to demand for them; anything more could only be the subject of request and advice. In matters of this sort there is a double danger to be avoided. If it be thought that you give advice merely to satisfy your own conscience, and that you do not care about the matter, then your advice will lose much of its effect. If, on the other hand, you pressed your advice strongly, then the Porte might turn round and say that they yielded because they could not help themselves, declaring at the same time that you, and not they, were responsible for the consequences. And then you come to the most hopeless and impossible of all political devices—the attempt to govern a great Empire like Turkey by means of an international commission composed of Ambassadors. I do not think that it was in our power to do more than we have done. We had no right to take a merely Greek or a merely Turkish view of the subject. We were bound to see fair play and to secure the observance of treaty obligations. We only gave such advice as seemed to conduce to the common interest of both parties. It is impossible in the present state of nations to form a plan for remote contingencies. No doubt the Turkish Empire is in a state of transition. The advice which is good now may not be good five or six years hence. But the House may rely on this—we shall watch carefully the changing circumstances of the time; we shall keep them and the public fully informed of these events as they pass; and I hope the House will believe that our sympathy for the Christian races of the East is not less real or sincere because we have not thought fit to give a semblance of encouragement to a hopeless insurrection or to compromise ourselves or them by a precipitate and premature action.

Amendment and Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

SUGAR DUTIES.

Resolutions [February 14] *reported.*

MR. STEPHEN CAVE, on bringing up the Report, observed, that he had been misunderstood to state in the previous discussion on this subject that he was personally unfavourable to the classification of the duties on sugar, whereas he had, of course, always been personally favourable to that principle. What really happened was this: His hon. Friend the Member for Peterborough (Mr. Thomson Hankey) had expressed a hope that the re-arrangement of duties was favourable to the British West Indies. He stated, in reply, that it was not; because, while the rates of duty on the two grades which comprised the bulk of imports from the West Indies either remained stationary or were raised, those on other qualities had been lowered. Consequently, speaking as a West India proprietor, he could have wished that the incidence of taxation had been somewhat different. But there was no ground of complaint; because the table was the result of the principle of which West Indians generally approved, and was in exact accordance with the provisions of the Convention of 1864.

Resolutions *agreed to.*

DUTY ON DOGS.

COMMITTEE. RESOLUTION.

Duty on Dogs *considered* in Committee.

(In the Committee.)

Mr. HUNT proposed the following Resolution:—

> That, in lieu of the Duties of Assessed Taxes on Dogs, there shall be granted and charged in respect of Dogs kept in England after the 5th day of April, 1867, or kept in Scotland after the 24th day of May, 1867, the following Excise Duties, to be paid annually upon the taking out of the Excise Licences hereinafter mentioned (that is to say):
>
> For and in respect of every Dog, of whatever description or denomination (except Hounds kept in a pack), for which a Licence to keep the same shall be taken out, the annual Duty of five shillings, to be paid by the person who shall keep such Dog;
>
> For and in respect of Hounds kept in a pack, for which a Licence shall be taken out,—
>
> Where the number shall not exceed twenty, the sum of five pounds;
>
> Where the number shall exceed twenty, and shall not exceed thirty, the sum of seven pounds and ten shillings;
>
> And where the number shall exceed thirty, then for every additional number of ten, and for any additional number less than ten, over and above thirty (or any other greater multiple than ten), the further additional Duty of two pounds and ten shillings;
>
> To be paid by the owner or master of the said hounds.

Mr. AYRTON said, he wished to know whether it was expected that under the alteration the duty would be more strictly levied, and that thereby the amount of the reduction would be made up?

Mr. HUNT said, he did not anticipate any loss of revenue but rather an increase, for under the present system the owners of dogs made the returns, and many dogs were not put down in them. It was not proposed to adopt a system of ticketing or registering dogs. The owners of hounds would have the option of taking out a licence for each dog, or taking out a licence for a pack.

After a few words from Mr. Read,

Resolution *agreed to*; to be *reported* on *Monday* next.

EXECUTION OF DEEDS BILL.

On Motion of Mr. Goldney, Bill to simplify and lessen the expense of the Execution of Deeds by Married Women, and to amend the Law as regards the effect of Deeds executed under Powers of Attorney, *ordered* to be brought in by Mr. Goldney, Mr. Leeman, and Mr. Powell.

Bill *presented*, and read the first time. [Bill 26.]

SPIRITUAL DESTITUTION BILL.

On Motion of Mr. Ayrton, Bill to amend the Laws relating to the Ecclesiastical Commissioners for England, for the purpose of making better provision for Spiritual Destitution, *ordered* to be brought in by Mr. Ayrton and Mr. Beresford Hope.

Bill *presented*, and read the first time. [Bill 27.]

House adjourned at a quarter before Nine o'clock, till Monday next.

HOUSE OF LORDS,

Monday, February 18, 1867.

MINUTES.]—Select Committee—On Traffic Regulation (Metropolis), The Marquess of Westmeath, The Earl of Airlie, and The Earl Stanhope *added.*

Public Bill—*First Reading*—Alimony Arrears* (17).

PRIVILEGE.—PAMPHLET OF MR. R. S. FRANCE.

Lord REDESDALE said, he had hoped, after what he had stated to their Lordships on a previous occasion, that it would not be necessary for him to ask the House to take any steps in reference to Mr. France, who had made incorrect statements with respect to the course taken by him, as Chairman of Committees, when dealing with a certain Bill. As, however, Mr. France would not add to the correspondence which had taken place between them a letter explaining that he had been mistaken in what he had said as to particular clauses in the Bill, he now moved that Mr.

France be required to attend at the Bar to-morrow, and to bring with him the correspondence on the subject.

THE MARQUESS OF CLANRICARDE suggested that the correspondence between the noble Lord and Mr. France ought to be placed in their Lordships' hands before they were called upon to send the latter gentleman to prison.

LORD REDESDALE said, he had not moved to commit Mr. France to prison, but only that he be directed to attend at the Bar. He hoped that, in answer to one or two questions which he should put to him, Mr. France would give the explanation which, as Chairman of Committees, he thought he was entitled to expect.

Motion *agreed to.*

Ordered that Mr. R. S. France do attend at the Bar of this House *To-morrow*, at Five o'Clock, and bring with him the Letters addressed to him by The Lord Redesdale on the Subject of a Pamphlet written by him entitled "Lord Redesdale and the new Railways."

HABEAS CORPUS SUSPENSION (IRELAND) ACT.—QUESTION.

THE EARL OF ESSEX said, he wished to ask the noble Earl at the head of the Government a Question—namely, Whether, considering the state in which Ireland now was—considering that Fenianism was only scotched, not killed—knowing that the very day after the affair at Chester a large number of men were arrested in Dublin immediately after their arrival from England, having, it was supposed, returned to Ireland in the belief that the law under which the Habeas Corpus Act was suspended had expired—he wished to ask whether, under all these circumstances, and considering what had since taken place in other parts of Ireland, it was still the opinion of Her Majesty's Government that the Suspension of the Habeas Corpus Act should cease at the end of the present month? He would take this opportunity of expressing a strong hope—even at the risk of offending the delicate susceptibilities of the Exeter Hall people—that if any of those unfortunate Fenians fell into the hands of the Government—being captured as it were red-handed — they would be treated with the utmost rigour of the law as being guilty of high treason. He hoped that no humanitarians, so common in our days—excellent men no doubt in other respects—would be allowed to stand between those people and the punishment which they so richly deserved. He would further express a strong hope that if on those occasions the military should be called upon to act, and that blood should be shed, they would not be exposed to the risk of criminal proceedings for acting vigorously in defence of their Queen and country. He could conceive nothing more discouraging to both officers and soldiers than that when called out to act in defence of law and order against a body of rebels, they should feel that they might perhaps be exposed to a criminal prosecution if lives were lost through their vigour and promptitude in suppressing a revolt. He could conceive nothing more humiliating than the position in which the officers of the British army were sometimes placed in cases of great danger and emergency. If they hesitated to do their duty, probably they would be professionally disgraced. On the other hand, if they acted vigorously and resolutely, they ran the risk of indictment in a criminal court. He believed that the extraordinary leniency shown to State criminals since the period of Mr. Smith O'Brien's affair for crimes which were formerly characterized by the old-fashioned names of rebellion and high treason, and punished as such, had acted in effect as a premium for the encouragement of similar crimes. It was well to say that prevention was better than cure. The Government had tried that principle, and had it succeeded? It had tried leniency—had it succeeded? Witness the return of the Fenians from other countries to which they had been allowed to remove themselves, to their own country, for the purpose of renewing their rebellious machinations. What did they care for the consequences when they believed that if captured they would be only condemned to a few months' imprisonment, or at the utmost to a few years' penal servitude? What did they care, if even the military were called out, if they believed that they would not be allowed to act with energy or vigour against them? He should be sorry to be supposed harsh or unfeeling; but he believed that this principle of leniency had been carried too far, and he believed that if the Government wished to put a stop to such wicked proceedings as those to which he had referred, it could only do so effectually by dealing with the leaders in the most summary manner possible, and by teaching their misguided followers that they could not raise the flag of rebellion and disturb the peace of the country without incurring the penalty which the law attached to such a serious crime. The noble Earl concluded by again asking whether it was the intention of the Government to persevere in their expressed intention to allow the Act for the Suspension of the Habeas Corpus Act in Ireland to expire?

THE EARL OF LEITRIM said, that before the noble Earl at the head of the Government answered the Question, he wished to make a few observations. He positively denied that all this mischief had commenced in Ireland. He believed that it was concocted in Manchester and other large towns in England. He was informed, and believed his information to be correct, that a Member of the House of Commons connected with Ireland, who had distinguished himself at some of the Reform meetings in this country, had been telegraphing brief reports of these proceedings to his friends in Ireland. He must protest against the whole blame being thrown on the Irish population—they were all Reform demonstrations, in fact. They had first the Hyde Park riots, then the Chester affair, and lastly the Killarney demonstration, and they were all organized to demand "Reform" of some kind or other. He should like to ask whether Her Majesty's Government had any intention of suspending the Habeas Corpus Act in Chester? Noble Lords on the other side of the House must see that outbreaks such as had taken place in Kerry were very much what was to be expected from their own policy.

THE EARL OF DERBY: With regard to the Question put by the noble Earl who has just sat down, I have to say that the Government has decidedly no intention of proposing to suspend the Habeas Corpus Act in Chester. With regard to the other Question put to me, I regret to say that I heard the noble Earl opposite (the Earl of Essex) very imperfectly; but, as far as I understood him, he inquired as to whether the Government intends moving for a continuance of the Act suspending the Habeas Corpus Act in Ireland; and, at the same time, the noble Earl expressed a hope that if any of the Fenians connected with the recent disturbances were captured, the utmost rigour of the law would be administered to them; and, also, that military officers would be protected by the Government from any criminal proceedings which might be brought against them in consequence of any acts committed by them in the discharge of their duty. The question is one of such great importance that I think it would have been better if the noble Earl had given me notice of his intention to put it. At the same time, I can quite understand that, as the Act of suspension has so nearly run out its term, your Lordships are all anxious for some information as to the Government's intention with reference to the matter. But I regret I cannot yet give a positive answer to the noble Earl. Your Lordships know that in Her Majesty's Speech from the Throne a hope was expressed that the Government would be able to dispense with any exceptional legislation on this subject with regard to Ireland. It must, however, be borne in mind that the recent outbreak, insignificant as it was, was perfectly unexpected and unforeseen by any party. I am happy, however, to say that, from the accounts we have received, the affair has been entirely put down, and that the result has to a great extent refuted the anticipations of the late Lord Lieutenant, who feared that any rising in the country would at once be joined by a large portion of the population. As a matter of fact, the rioters have been joined by no one; they were insignificant in point of number, utterly deserted by everybody, and exercised not the slightest influence on the surrounding population. It is impossible to say at present whether similar insane attempts to theirs may not be made in other parts of Ireland; and I think it better to postpone the consideration of the subject until the Chief Secretary for Ireland, who has returned from Dublin, and who will, of course, be able to furnish the latest information, has been conferred with. As to the prisoners who may be taken, I can assure the noble Earl that the Government will endeavour wisely to discriminate as to the relative guilt of each prisoner; and while, with regard to the highest description of offenders, they will not shrink from enforcing the utmost rigour of the law, yet every case will be judged on its own merits. I am sure, however, that it is not your Lordships' wish that the less guilty should be visited with undue severity. As to the hope expressed by the noble Earl with reference to the officers now in Ireland, I trust it is not necessary to say that, in the discharge of the painful duties which may devolve upon them in suppressing these disturbances, they may rely upon the fullest support from Her Majesty's Government.

ROYAL COMMISSION ON RAILWAYS—THE IRISH LINES.—QUESTION.

THE MARQUESS OF CLANRICARDE asked, When the Report of the Royal Commission on Railways would be presented; and whether the Government had yet considered the applications for Government interference in the concerns of Irish Railways? He apologized for having introduced the Question at such an early period of the Session, but thought himself justified by the pressing importance of the subject; for in his opinion the most effectual way to improve the condition of Ireland was to aid the development of her material resources.

THE EARL OF DERBY: It is quite true that the Question referred to by the noble Marquess is one of very great importance to Ireland: and the Government have received a great many memorials praying that the subject should be taken up. It is quite true, also, that the evidence taken before the Commissioners has been before the public for some time; but the Commissioners have not yet made their Report, and it may be three weeks or a month before they are able to do so. Until the Report has been presented the Government cannot, of course, come to a conclusion upon the subject. The question is not only of the greatest importance, but also, as the noble Marquess should know, of the greatest difficulty. There can be no question that the railways of Ireland can be more economically managed, and that the great expense to which the different companies are put, solely in consequence of their number, would be very largely decreased if the proprietary were consolidated under one head, with one management. This would not only decrease expense, but probably tend to an increase of productiveness. But, at the same time, we must remember that railway property in Ireland is not in the most prosperous condition; out of the 1,800 miles of railway in the country, only six miles—the line from Dublin to Kingstown—pay a really satisfactory dividend. I am afraid to say how many companies are absolutely bankrupt, or how many have suspended operations altogether. But I must say that Her Majesty's Government are asked to undertake a very grave task when they are invited to undertake the management of such a property as the Irish railways, putting aside pecuniary considerations. I do not understand that the railway companies are at all agreed as to the course they would desire us to pursue, except that they would like us to buy all their railways at their own price—especially those lines which pay no dividend at all; but that would not be a very profitable speculation for the Government to enter upon. Then there are many objections to the proposal that the Government should undertake the management of railway property; there are political reasons, such as the enormous patronage which would in that case be vested in the hands of Ministers. But supposing the Government did buy the railways, a question arises which is not easily answered. We are told that it would be infinitely to the advantage of the country if the railway fares were lowered; and all the railway directors say that lowering the fares would be to the advantage of the companies; but they also agree in saying that the shareholders object to lower the fares because, whatever the ultimate result, the immediate consequence would be a considerable loss. Accordingly, a few of the Irish railway companies desire the Government to bear that loss, though they think it very undesirable the shareholders should do so. On the whole, much difference of opinion prevails upon this question, which demands most serious consideration; and at present I can only promise that, as soon as the Commissioners have furnished us with their Report, we will give our best attention to their recommendations—we will consider how far their recommendations are borne out by the information brought before them and shape our course accordingly.

THE MARQUESS OF CLANRICARDE thought the railway companies would be very glad to take less for their lines than the Act of 1844 prescribed.

THE EARL OF DERBY: The Act of 1844 fixes the amount to be paid by the Government as twenty-five years' purchase of the net receipts. But suppose a railway has received nothing, how much will twenty-years' purchase of that amount to?

ALIMONY ARREARS BILL [H.L.]

A Bill to facilitate the Recovery of Arrears of Alimony in certain Cases under Decrees and Orders of the Provincial and Diocesan Courts in Ireland—Was *presented* by The Viscount LIFFORD; read 1^a. (No. 17.)

House adjourned at a quarter before Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, February 18, 1867.

MINUTES.]—New Members Sworn — Hedges Eyre Chatterton, esquire, *for* Dublin University; Edward Kent Karslake, esquire, *for* Colchester.

Select Committee—On Public Accounts *nominated.*

Supply — *considered in Committee* — Supplementary Civil Services, 1866-7.

Public Bills—*Resolutions in Committee*—Sugar Duties.

Resolution [Feb. 15] *reported*—Duty on Dogs.

Ordered—Duty on Dogs; Admiralty Jurisdiction *; Tenants' Improvements (Ireland); Land Improvement and Leasing (Ireland); Land Improvement Contracts (Ireland) *; Land Tax Commissioners' Names.*

First Reading—Admiralty Jurisdiction * [28]; Tenants' Improvements (Ireland) [29]; Land Improvement and Leasing (Ireland) [30]; Land Tax Commissioners' Names * [31].

Second Reading—Trades Unions [18]; Vice President of the Board of Trade [22].

ARMY ESTIMATES.—OBSERVATIONS.

General PEEL: Sir, the Army Estimates which I have just laid upon the table are only the usual and ordinary Estimates, and they do not include any provision to carry out the recommendations of the Royal Commission on Recruiting and the Army Reserve. Separate Estimates will be laid upon the table for those purposes. I intend, when the Estimates are moved, to call the attention of the House to the Report of the Royal Commission on Recruiting and the Army Reserve, and to explain the measures which Her Majesty's Government propose to take in order to carry out the recommendations of that Commission.

Colonel WILSON PATTEN: May I ask when that will be?

General PEEL: I have just laid the Estimates on the table, and I hope they will be in the hands of hon. Members either on Wednesday or Thursday at the latest. I shall bring them forward on the earliest possible day afterwards, and due notice will be given.

IRELAND—RAILWAYS.—QUESTION.

Mr. W. ORMSBY GORE said, he would beg to ask the President of the Board of Trade, When the Report, so far as relates to Irish Railways, of the Royal Commissioners, to inquire into the state of Railways will be issued?

Sir STAFFORD NORTHCOTE, in reply, said, there would be no special Report on Irish Railways; but the Report of the Commissioners would be ready in a short time, probably in a week or two.

THE ECCLESIASTICAL ESTABLISHMENT IN JAMAICA.—QUESTION.

Mr. BAXTER said, he rose to ask the Under Secretary of State for the Colonies, Whether any Despatch relative to the reduction of the Ecclesiastical Establishment in Jamaica has been forwarded to the Governor of Jamaica; and, if so, whether he is willing to lay the same before Parliament; and, whether he will lay before Parliament the Circular relative to such reduction addressed to the Clergy by the Bishop of Kingston?

Mr. ADDERLEY said, in reply, that the despatch alluded to by the hon. Member was simply an acknowledgment of the receipt of a communication and of correspondence between Sir John Grant and the Bishop of Kingston; and all that it stated was, that when matters were more matured the Colonial Office would be ready to take the subject into consideration. The Circular only had reference to certain parochial charges transferred to voluntary contributions; and there was no correspondence on the subject in the Colonial Office that could be given to the House.

IMPORTATION OF CATTLE. QUESTION.

Mr. EYKYN said, he wished to ask the Vice President of the Committee of Council on Education, Whether any, and, if so, what measures have been adopted to prevent the importation from Holland and Germany of the carcases of animals infected by the Cattle Plague?

Mr. CORRY said, in reply, that the Privy Council were reluctant to prohibit the importation of articles used as food except under the apprehension of serious risk. It appeared to them, as at present advised, that there was no such amount of risk as would justify them in prohibiting the importation of meat.

IRELAND—DOCKS IN CORK HARBOUR. QUESTION.

Mr. MURPHY said, he would beg to ask the First Lord of the Admiralty, What progress has been made with the works connected with the Royal Docks in Cork Harbour, and their present position; what progress is proposed to be made with them (and the estimated amount of expenditure) in the present year, and whether the supposed amount of Convict Labour originally contemplated will be provided; and, if not, whether Free Labour will be substituted?

Sir **JOHN PAKINGTON**: Sir, the progress made in Cork Harbour hitherto, as the hon. Gentleman is doubtless aware, is only of a preliminary nature. I am happy now to inform him that arrangements have been made by which future progress will, I hope, be made more satisfactory. At the time I had the pleasure of seeing the hon. Member at Cork only 121 convicts were at work. Since then a few free men, leading artificers, have been employed; the number of them has now been increased to thirty; and the number of convicts has been raised to 274. In the forthcoming Estimates we propose to ask, instead of £15,000, for £20,000; and this will enable us to increase the number of free labourers from thirty to nearly 100. I hope the answer will be satisfactory to the hon. Member. I am quite sure it is the intention of Government to prosecute the works at Cork Harbour; and, no doubt, under the circumstances I have mentioned, the works will be greatly accelerated.

SCOTLAND—SANITARY LAWS.

QUESTION.

Sir **ROBERT ANSTRUTHER** said, he would beg to ask the Secretary of State for the Home Department, Whether any measure is being prepared by the Lord Advocate for Scotland for the consolidation and application to Scotland of the various Sanitary and Nuisances Acts at present in operation; and, whether he is about to bring in any measure for the more economical settlement of disputes arising in carrying out the Poor Law Act?

Mr. **WALPOLE** said, in reply, that there was a Bill in preparation for consolidating and amending the Law relating to nuisances in Scotland, and he expected that it would be ready in about a fortnight.

AGRICULTURAL STATISTICS.

QUESTION.

Mr. **M'LAGAN** said, he would beg to ask the President of the Board of Trade, Whether it is the intention of the Government to adopt the same means for the collection of Agricultural Statistics in England and Scotland as last year; and, if not, whether it is their intention to introduce any measure this Session for their collection?

Sir **STAFFORD NORTHCOTE** said, in reply, that the Government proposed to adopt the same measures that were taken last year.

IRELAND—WATERFORD ELECTION.

QUESTION.

The **O'DONOGHUE** said, in the absence of his hon. and learned Friend (Mr. Serjeant Barry) who had given notice of the Question, he would beg to ask the Secretary of State for War, Whether the Military authorities have instituted or intend to institute any inquiry, or have taken or intend to take any action, with respect to the alleged conduct of the sixteen men of the 12th Lancers who, on the polling day of the late Election for the County of Waterford, according to the sworn testimony of the officer in command, broke away from his control, and without orders charged the people along the Quay of Dungarvan, the result being that two persons were killed, one of them, a respectable inhabitant of that town, having been, while standing near the door of his dwelling, stabbed by one of the soldiers with a lance, as appears by the reported evidence and verdict of the coroner's jury?

General **PEEL**: Sir, in consequence of the Notice given by the hon. and learned Member, I requested the Commander-in-Chief to apply to the Commander-in-Chief in Ireland to know what steps had been taken; and the answer of the Commander-in-Chief in Ireland is as follows:—

> "It was considered that it would be unusual and an unbecoming interference with the rights of the constitutional and legal tribunal—the coroner's inquest, and of the judicial proceedings which might result from it—to hold a formal military inquiry into the Dungarvan riots and the matters connected with them—a matter which was entirely in the hands of the civil law of the country, and dealt with by it. The military authorities had exhausted inquiry, and had obtained all the information which was in their power to do on this subject. As regards the conduct of the 12th Lancers, the reports of the superior officer, Colonel Sawyer, commanding the 6th Carbineers, who was sent expressly from Cahir to Dungarvan, to command the troops during the contested election for Waterford, prove, as did all the reports of the other officers commanding detachments employed during the election, that, notwithstanding the greatest provocations, the conduct of the troops was very good; indeed, Colonel Sawyer calls it 'admirable,' and that if

casualties among the people, however much to be regretted, did occur, they were unavoidable."

ARMY—MILITARY STORE DEPARTMENT.—QUESTION.

Mr. OLIPHANT said, he wished to ask the Secretary to the Treasury, Whether the scheme submitted to the Treasury by the late Secretary of State for War, and supported by the present Secretary of State for War, which was designed to remedy the grievances of the Military Store Department, has been finally rejected by the Lords Commissioners; and, if so, to state upon what grounds a measure judged necessary by the War Office as the best means of increasing the efficiency of a Military Department, and of redressing grievances which are admitted to exist in it, has been rendered inoperative?

Mr. HUNT: Sir, I must ask leave to point out to the House the unusual character of the Question. The hon. Member for Stirling does not ask whether a decision has been come to, and on what grounds; but whether there is a difference of opinion between two Departments of the Government, and whether I can state the reasons given by one Department for differing from the other. It must be obvious to the hon. Member that no Government business can be carried on unless matters under consideration are freely discussed between Departments. When a decision has been arrived at, the Government, as a Government, is responsible for it, and it is open to any hon. Member to challenge the propriety of it; but I submit to the House that it will not be to the advantage of the public service that a Question should be asked and answered here as to what difference of opinion exists between one Member of Government and another on a given question before it is decided. Therefore, I hope the hon. Member will not think I am treating him with disrespect when I decline to set a precedent by giving a categorical answer, which could only be mischievous in its results.

ARMY—CORPORAL PUNISHMENT.
QUESTION.

Mr. OTWAY said, he rose to ask the Secretary of State for War a Question relating to the report of an inquest held on the body of Robert Symes, a private soldier in the 74th Regiment, on whom corporal punishment had been inflicted by sentence of a District Court Martial, on the 24th ultimo. As the Question related to the life and death of one of Her Majesty's subjects, he hoped the House would permit him to state the facts on which he based the Question. ["No, no!"] He was quite in order in stating the facts. It had been stated in many newspapers, and especially in *The Lancet*, that a soldier belonging to the 74th Highlanders died in the military hospital at Limerick on the 9th instant, after receiving corporal punishment, having been sentenced to receive fifty lashes, and to be confined for 168 days. Shortly afterwards an inquest was held on the body, at which three military medical officers and one civilian gave their evidence. The evidence was to the effect that his death was caused by fever, which set in owing to the punishment which had been inflicted, and the jury found that the deceased died in consequence of congestion of the brain supervening on the punishment to which he had been subjected. Now, he wished to ask the right hon. and gallant Gentleman, Whether the statement given in the newspapers was substantially correct; and whether the punishment which the soldier had received was of undue and extraordinary severity, or no unusual punishment for offences such as he had committed?

General PEEL: Sir, in consequence of the Notice given by the hon. Gentleman, I sent to Ireland for information on the facts, and I find that they are as follows:—Private Robert Symes, 74th Regiment, was tried by District Court Martial on the 9th of January, for an act of gross insubordination in having struck with his fist a sergeant of the regiment, and kicked him on the face when he was knocked down. He was sentenced to 365 days' imprisonment, with hard labour (197 of which were remitted), and fifty lashes. The staff surgeon examined the man on three different occasions, and pronounced him to be in a good state of health, and able to undergo corporal punishment; he was flogged on the 14th of January, a staff assistant-surgeon being present at the parade. After punishment he was sent to the cells, where he was allowed bedding, &c., and seen daily by a medical officer. On the 29th of January (fourteen days afterwards) he was admitted into hospital suffering from fever; his back had nearly healed. On the next day erysipelas of the face and head set in, and he died on the 9th of February. The *post-mortem* examination showed that death was occasioned by congestion of the brain consequent on the erysipelas; his back had healed at the time of his death; he had always been a healthy man but of bad character.

METROPOLIS—PARK LANE AND HALKIN STREET.—QUESTION.

SIR HENRY WINSTON-BARRON said, he would beg to ask the First Commissioner of Works, If it is intended to widen Park Lane from Stanhope Gate to Oxford Street; and if any and what measures can be taken to abate the inconvenience now existing to foot passengers and carriages by the wooden barriers erected in Halkin Street, which have narrowed this great thoroughfare?

LORD JOHN MANNERS: Sir, it is intended to widen Park Lane from Stanhope Gate to Oxford Street; but I must inform the hon. Baronet that I cannot give him an answer to his second Question, as Halkin Street is not in any way under my supervision.

SIR HENRY WINSTON-BARRON: May I ask the noble Lord whom I am to apply to?

EARL GROSVENOR: I do not know whether I may be allowed to answer the Question. The buildings in Halkin Street will take about two years to complete, and I do not know whether the hoarding can be removed before the end of that time.

REPRESENTATION OF THE PEOPLE—THE RESOLUTIONS.—QUESTION.

MR. SCLATER-BOOTH said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, if the House should agree to the 4th proposed Resolution on the subject of Reform—namely, "That the Occupation Franchise shall be based on the principle of Rating"—the carrying out of that Resolution would, in the view of the Government, be necessarily contingent on the passing of the Bill "for promoting Uniformity of Assessment in England and Wales;" and whether, if the House should agree to the 13th Resolution, praying Her Majesty to appoint a Boundary Commission, the passing of a Reform Bill need on that account be delayed beyond the period of the present Session of Parliament?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the passing of the Bill which we hope to introduce will not in any way depend upon the passing of the two other measures to which the hon. Gentleman has referred. But I trust I may be permitted to express my hope that when the Reform Bill is passed hon. Gentlemen will not deny us the portion of their time that may be requisite to pass the two other measures also.

STANDARDS OF WEIGHTS AND MEASURES.—QUESTION.

MR. MILLER said, he would beg to ask the President of the Board of Trade, Whether it is the fact that the Standards of Weights and Measures have been in use for forty years without re-adjustment, and whether such re-adjustment is intended, and when; and what notice will be given to the public thereof?

MR. STEPHEN CAVE said, in reply, that the official standards of weight and length have been in use since 1825, or forty-two years, and the standards of capacity since 1834, or thirty-three years, without re-adjustment. No legal provision was made for their comparison and re-verification until the passing of the Standards Act of last Session, by which it was provided that the Board of Trade should cause such comparison to be made as soon as conveniently might be after the passing of the Act, and afterwards, once at least in every five years, and the standards to be adjusted or renewed if requisite. It is intended that this provision shall be carried out under high scientific superintendence, and for this purpose to re-appoint the Standards Commission, the members of which have expressed willingness to serve. All the preliminary steps have been already taken for these objects, and the actual comparison of the standards is now being proceeded with in the Standards Department. The weights have been tested, and it may be satisfactory to state that their actual errors are, generally speaking, so small as to be hardly appreciable, except with very fine balances; the 56 lb. weight is the most defective, and that varies only about a 30·000th part, that is, thirteen grains in 392,000 grains. The adjustment or renewal of the standards will necessarily occupy some time after the appointment of the Commission, but due notice will be given when the whole work is completed.

WATERWORKS BILL.—QUESTION.

MR. A. EGERTON said, he would beg to ask the President of the Board of

Trade, Whether he intends to re-introduce this Session the Waterworks Bill of last Session?

Sir STAFFORD NORTHCOTE said, he did not.

EXTRADITION OF M. LAMIRANDE.

QUESTION.

Mr. M'CULLAGH TORRENS said, he would beg to ask the Secretary of State for Foreign Affairs, When he expects to be able to lay upon the table the Correspondence between Her Majesty's Government and that of the Emperor of the French regarding the extradition of M. Lamirande?

Lord STANLEY: Sir, I will lay the Papers on the table as soon as we have received a further communication from the French Government, for which we are now waiting.

ARMY—QUARTERMASTERS OF MILITIA.

QUESTION.

Major WALKER said, he would beg to ask the Secretary of State for War, Whether it is the intention of Her Majesty's Government to take any steps to improve the position of Quartermasters of Militia?

General PEEL: Sir, in the Army Estimates which have been laid upon the table, it is proposed to ask the House to consent to an addition to their lodging money.

REPRESENTATION OF THE PEOPLE—FRANCHISES.—QUESTION.

Mr. BAINES said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, in the Statement which he has promised to make on going into Committee on the Representation of the People on Monday, the 25th instant, he will specify the proposed amount of the County and Borough Franchises; and whether he could, for the convenience of the House, give that information on an earlier day?

The CHANCELLOR of the EXCHEQUER: Mr. Speaker, it is the hope of Her Majesty's Government that they may introduce and pass a Reform Bill adequate to the national necessities, which will reproduce concord among classes, and will permit Gentlemen, of whatever political opinions they may be, and to whatever party they may belong, if they sit upon this Bench, to have an opportunity of proposing those measures of improvement which the country requires, and which, until this question is settled, I fear will not be introduced. But with these views, and with that great responsibility, I trust the House will feel it not unreasonable or in any degree presumptuous on our part, if we wish at least to have the privilege of disposing of the course of public business in that manner which we deem to be most conducive to the end which we are desirous of accomplishing. Under these circumstances, I must say that I think it would be most inexpedient were I to deviate from that course of proceeding which, on the part of Her Majesty's Government, I have already intimated that we are ready to take. There are many reasons which induce me to believe that if we were to alter our course we might injure that chance which, from intimations I have received from many quarters of this House, I confess I view with a sanguine spirit, of coming to a solution of this question. I trust the House will believe that it is from no desire to delay the progress of this business, but from a sincere conviction, founded on the information we have received, that the course we have indicated is best qualified to accomplish the end we all desire, that I must request the hon. Gentleman will not press me to change that course, and I shall be prepared on Monday to offer those explanations which are due to the House.

THEATRES, &c.—QUESTION.

Mr. O'BEIRNE said, he would beg to ask the Secretary of State for the Home Department, Whether it is his intention to introduce any measure this Session for the better regulation of Theatres and Places of Public Amusement in Great Britain; and, whether the measure to be so introduced if any will be in accordance with the recommendations of the Parliamentary Committee of last Session upon that subject?

Mr. WALPOLE said, in reply, that he hoped to be enabled to bring in a Bill on the subject. If so, the Bill would embody some of the recommendations of the Committee, but, he apprehended not all.

IRELAND—CHARITABLE BEQUESTS.

QUESTION.

Mr. BLAKE said, he wished to ask the Chief Secretary for Ireland, Whether he intends introducing a measure during the present Session to amend the Laws relative to Charitable Donations and Bequests in Ireland; and, if so, at what period the Bill will be likely to be furnished to Members?

Lord NAAS: Sir, a Bill has been prepared, and my hon. and learned Friend the Solicitor General for Ireland will introduce it, I hope, next week.

IRELAND—THE VARTRY WATERWORKS. QUESTION.

Mr. VANCE said, he wished to ask the Chief Secretary for Ireland, If his attention has been called to a statement made by the Chairman of the Waterworks Committee in the Municipal Council of Dublin, that a substantial leakage had taken place in the great reservoir of the Vartry Waterworks; if he is aware that notice has been served by the surveyor of the county Wicklow on the Waterworks Committee in reference to the dangerous condition of that reservoir; and if it is the intention of the Irish Government to have the reservoir and works inspected by and reported on by Government engineers?

Lord NAAS, in reply, said, the reservoir had been inspected by two eminent engineers, and information of a satisfactory nature had been received; but he was not at present in possession of full information on the subject. He expected the Report in a few days.

IRELAND—FENIAN DISTURBANCES IN KERRY.—QUESTION.

Colonel GREVILLE said, he wished to ask the Chief Secretary for Ireland, Whether he has any further information to impart to the House with regard to the Fenian movement in Kerry?

Lord NAAS: Sir, I have no further information to give beyond this, that I received a telegram two hours ago stating that everything was perfectly quiet, and that there was no appearance of any attempt being made to revive the insurrectionary movement in the county of Kerry. I may add, that from the information which the Government has received it appears that there was not at any one time more than 120 or 130 engaged in the outbreak.

Mr. BRUEN said, he wished to ask the noble Lord, whether he can confirm the published reports of the gallant conduct of Police Constable Duggan, who was attacked by the rioters while carrying despatches? He would also beg to inquire whether the noble Lord can confirm the report of the loyal conduct of the Rev. Mr. Maginn, a Roman Catholic priest, who, it is stated, gave notice to the Police of the intentions of the rioters, endeavoured to dissuade the party from their mad enterprize, and, on being charged by their leader with having given information against them, boldly and loyally acknowledged that he had done so.

Lord NAAS: I am happy to be able to say that the statement which appeared in *The Times* of this morning with regard to Police Constable Duggan is entirely correct. He showed the greatest possible gallantry and devotion to his duty. After being wounded, and after falling from his horse, he still endeavoured to struggle on as best he could in order to perform his duty. He was, unfortunately, unable to accomplish this, and was obliged to take refuge in a house, whither he was followed by some of his assailants. With respect to the conduct of the Rev. Mr. Maginn, the information in the hands of the Government leads us to believe that the statement which has been published is perfectly correct. Shortly after the attack on the policeman the same party designed to attack the police barrack at Ross Bay, not very far off. On meeting Mr. Maginn they stopped, and he addressed them. He warned them of the perilous and wicked course they were pursuing, and endeavoured to dissuade them from carrying into effect the project which he had been led to believe they entertained. They advanced, however, some little distance further, but wiser counsels ultimately prevailed, and when they had got to within 200 yards of the barracks they turned off the road and made for the mountains. The rev. gentleman then proceeded to the help of the wounded man, and I believe remained with him a considerable time, until further assistance arrived.

VICE PRESIDENT OF THE BOARD OF TRADE BILL—[Bill 22.]

(*Sir Stafford Northcote, Mr. Cave, Mr. Hunt.*)

SECOND READING.

Order for Second Reading read.

Mr. GRENFELL said, he did not rise to oppose the Bill; but he wished for some explanation with regard to the omission from the Bill of all allusion to the office of Paymaster General, and certain duties connected with Chelsea Hospital at present performed by the Vice President of the Board of Trade. He hoped some explanation would be given of the intentions of the Government on these two points, which were rather connected with a Military Department than with the Board of Trade.

Sir STAFFORD NORTHCOTE: Had the hon. Member been in the House the other night when I introduced the Bill he would have been aware that I gave an explanation on both the points on which he now asks for information. I then stated that arrangements would be made for the discharge of the duties to which the hon. Member refers. It would be useless to insert provisions on the subject in the Bill, since Her Majesty may appoint any officer she pleases to undertake those services. It is not necessary—indeed, it would be inconvenient—to prescribe those duties in an Act of Parliament.

Mr. CHILDERS said, that the Vice President of the Board of Trade had hitherto vacated his seat on accepting office, whereas the Secretaries of the Poor Law Board, the Admiralty, and the Treasury were not required to undergo re-election. He wished, therefore, to know whether, under the present Bill, the Secretary to the Board of Trade would have to go to his constituents, or whether he would be in the same position as the Secretaries of other Departments?

Sir STAFFORD NORTHCOTE: He will not require re-election.

Mr. CHILDERS said, he thought this raised a very important Constitutional question, because one Member of the Government less than at present would vacate his seat on taking office. The point would require consideration when the Bill was in Committee.

Mr. GLADSTONE said, he regretted that the attention of the House had not been drawn to this point when his right hon. Friend (Sir Stafford Northcote) introduced the Bill; for the vacating of a seat upon accepting an office under the Crown was a matter of no small importance both in theory and in practice, and one on which both the House and the country entertained a very just jealousy. His notice having only been drawn to the matter a few moments ago, he would not now undertake to say whether there might or might not be sufficient grounds for the alteration proposed; but the question was one of primary importance, and his right hon. Friend would probably share in his regret that he had not referred to it in the first instance. He was very unwilling to delay the progress of a Bill which appeared to be generally of a useful character; but the matter would require careful consideration at a future stage.

Motion *agreed to*: Bill read a second time, and *committed* for *Thursday.*

SUGAR DUTIES.—COMMITTEE.

Order for Committee read.

Mr. J. B. SMITH said, he could not allow the House to go into Committee without again entering his protest against the system of classified sugar duties, the object of which was to give protection to one class of sugar growers at the expense of others. He did not blame the present Government for bringing forward this measure; if it had originated with them there would probably have been a storm of objection to it, as a Tory monopoly scheme. He regretted to say that this measure originated with the leader of free trade in this House, the right hon. Member for Lancashire. The Vice President of the Board of Trade told the House the other night that the duties were, by this Bill, levied on the precise quantity of saccharine matter contained in each class of sugars. Now, it was nothing of the kind. The duties were really levied upon the samples of sugar laid before the Custom House officers, who decided from their appearance what rate of duty each should pay; and as no man could tell from the appearance of sugar what quantity of saccharine matter it contained, it opened the door to injustice and fraud. Besides, this absurd system was attended with enormous expense. According to the Report of the Board of Inland Revenue, in London alone no less than 632,738 samples of sugar, representing 3,123,000 packages, were assessed for duty by the Customs officers. Now, as no two packages of sugar were of precisely the same colour, grain, and quality, some must be charged too much and others too little, what a door is open to fraud! The fact is, that all this labour and expense incurred by the classification of duties is solely to protect West India sugar planters, who persist in old methods of making sugar. He believed that this was the only protection Act on the statute book, and he hoped it would not be long before they were able to say that protection did not exist in this country. Undoubtedly this Bill reduced the amount of protection, and so far it was an approximation to the only sound system of an uniform duty. But the protection was of the worst character; it was a tax upon improvement; it taxed those able to make sugar of a better quality, from the same raw material, by a superior process. Suppose Manchester and Blackburn were each making a particular kind of yarn from the same quality of cotton, and that the Manchester people, in consequence of superior processes and superior machinery, were able to sell their yarn at 1*d.* per pound less than the Blackburn people, what should we say to the prayer of the Blackburn people that a duty of 1*d.* per pound ought to be laid upon the Manchester yarn to enable them to compete with their rivals? But this was just what the West India planters demanded, and which this Bill granted. He (Mr. J. B. Smith) was of opinion, with the right hon. Member for Oxford (Mr. Cardwell), before that Gentleman ate his own words, that—

> "To strike with a superior duty one pound of sugar, which by a better mode of manufacture contains more saccharine matter than another pound, obtained from the same raw material, is to inflict direct discouragement upon improvement."

The whole case could not be better expressed than in this language, and he should only, therefore, repeat his protest against the present system.

(In the Committee.)

Resolution 1. That there shall be charged and paid, on and after the 1st day of March, 1867, the following Duties of Excise on Sugar made in the United Kingdom (that is to say):—

	£	*s.*	*d.*
Candy, brown or white, refined Sugar, or Sugar rendered by any process equal in quality thereto, and manufactures of refined Sugar the cwt.	0	12	0
Sugar not equal to refined, according to the Standard Samples approved by the Lords of the Treasury for assessing the Duties of Customs on Sugar imported into the United Kingdom, viz.:—			
First Class . . the cwt.	0	11	3
Second Class . the cwt.	0	10	6
Third Class . . the cwt.	0	9	7
Fourth Class . the cwt.	0	8	0
Molasses . . the cwt.	0	3	6

Mr. HUNT said, that before moving the second Resolution, he wished to explain that its object was to place the Excise duty on sugar used in brewing on the same footing as the Customs duty. The sugar used in brewing paid a duty of 3*s.* 4*d.*; this being sugar of the fourth class would now pay a Customs duty of 8*s.* It used to be 8*s.* 2*d.* before the alteration, and it was necessary to put on the brewing duty, the 2*d.* that was thus taken off, so that the duty on 210 lbs. of sugar should be equal to the duty on a quarter of malt.

Resolution 2. That there shall be charged and paid for and upon every hundred-weight, and so in proportion for any greater or less quantity than a hundred-weight, of all Sugar which, on and after the 1st day of March, 1867, shall be used by any Brewer of Beer for sale in the brewing or making of Beer, the Excise Duty of Three Shillings and Six Pence.

Resolutions to be *reported* on *Wednesday.*

DUTY ON DOGS BILL.

BILL ORDERED.

Resolution [February] 15 *reported.*

Mr. GLADSTONE said, he did not rise to offer any opposition to the proposal; but there were two points upon which he desired to receive an explanation on the part of the Government. The present duty was 12*s.* on every dog. It was, however, found that this duty was too high to be levied with the uniformity and strictness which policy and justice alike required, and, therefore, in the policy of the proposed reduction he fully concurred. But then the hon. Gentleman (Mr. Hunt) had stated that it was the expectation and desire of the Government to raise from the new tax an amount not less than that now levied. Whether this expectation would be realized turned upon the question whether the new duty of 5*s.* could be strictly and uniformly levied. He hoped it would; but this was a point on which the Government of the day would be better able to form a conclusion. The first assurance he wished to receive was that the Government had fixed upon an amount which, in their opinion, might be charged alike upon all members of the community and obtained from them. The second point—which was of a different nature and of some importance—was that although this was not a financial measure of very great importance, yet it was the commutation of a duty that yielded £180,000 a year, and which independent of any increase under the duty would not yield half that amount—perhaps not more than £70,000 or £80,000. *Primâ facie* such dealing with the revenue ought to be treated as a portion of the financial measures of the year, and form part of the Budget of the Chancellor of the Exchequer. He had always held that there was nothing more closely connected with the constitutional control of the House of Commons than the principle that, except under special circumstances, all the financial measures of the year ought to form part of the same plan. Of course, in some cases where strong practical reasons existed it might be desirable to depart from this rule. The cause of this departure probably was that the duty, instead of being, as before, a part of the assessed taxes, would now be an Excise duty. The assessed taxes were levied each year on the number of dogs kept in the former year; while the Excise duty was payable beforehand, and the commencement of the financial year would be fixed as the period at which the tax must be taken out. If he were correct in this supposition he had no objection to the proposal.

MR. HUNT said, he would answer the second Question first. It was desirable that, as the duty on dogs was hereafter to be a duty of Excise, the change should be arranged to take place at an earlier period of the year than the Financial Statement, as otherwise a great number of the owners of dogs would escape the tax this year altogether. The assessed taxes for 1866-7, although due this year, were not chargeable until April 5 next. Under the new duty it would be necessary for those who wished to keep dogs this year to take out an Excise licence. For this reason it was desirable not to defer levying the tax until the usual financial arrangements of the year were made. In answer to the first Question of the right hon. Gentleman, the Government were of opinion that the tax of 5*s.* on every dog was one that could really and uniformly be levied. The Government proposed that there should be no exemptions whatever. When the Resolutions were in Committee his hon. Friend the Member for East Norfolk (Mr. Read) stated, that although he understood it was intended to levy the tax on sheep dogs, he considered it so important that the proposal of the Government should be carried that he was willing to waive the exemption which that description of dogs had hitherto enjoyed. If the owners of sheep dogs were ready to give up their exemption, that was a test of the duty of 5*s.* being one which the community would bear to see universally levied on dogs. As the present duty of 12*s.* was only levied on a very small number of those who now kept dogs, the revenue would not, in his opinion, suffer from the reduction. He rather looked forward, on the contrary, to some increase of the proceeds of the tax under the new duty.

Resolution *agreed to.*

Bill *ordered* to be brought in by Mr. DODSON, Mr. HUNT, and Mr. CHANCELLOR of the EXCHEQUER.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

COMMANDER SAYER'S LIFE BOAT.

QUESTION.

MR. KNATCHBULL - HUGESSEN wished to put a Question to the First Lord of the Admiralty respecting the invention by Commander Sayer of a folding life-boat which had been brought under the notice of that Department. Commander Sayer was a naval officer of some experience, who, many years ago, was much struck by the too frequent loss of life from shipwreck or fire at sea, in consequence of the insufficient number of boats carried by vessels. Actuated by no hope of pecuniary benefit to himself, but solely by the humane and laudable desire of mitigating the severity of future disasters at sea, he had devoted much attention to the subject. The result was, that after some expenditure of time and money, he had invented a life-boat, in the construction of which, such was the economy of space, that in the space usually occupied by one ships' boat, a sufficient number of these boats could be stowed away to hold from 800 to 1,000 persons in case of emergency. It would be presumptuous in him to pass any opinion on the merits of the boat; but when Commander Sayer requested him, as his representative, to bring the invention under the notice of the proper authorities, it was his duty so to do. The invention had been submitted to the late Board of Admiralty, of which Lord Clarence Paget was then Secretary, but the reception it met with was not very favourable. The boat was tried at Portsmouth in fine weather, but was not sufficiently tested in rough weather, and Commander Sayer, being satisfied with the result of private trials, became dissatisfied with the conduct of the Admiralty. He consulted him (Mr. Knatchbull-Hugessen) again, and, by his advice, sought the opinions of naval officers independent of the Government. Amongst others, he took counsel and advice with the hon. Baronet opposite, the Member for Stamford (Sir John Hay), who brought his great professional skill to bear on the subject, and after, doubtless, due consideration, thus wrote to the inventor—

> "You should compel Mr. Hugessen and Lord Clarence Paget to give you proper support. Tell them I say so. It is the business of them both to see that so useful an invention is not lost to the country."

In answer to a Question put to him on the subject in that House in 1865, Lord Clarence Paget, then Secretary of the Admiralty, said that though the invention was ingenious, and one that might be useful in time of war, yet it was not then thought expedient to make further experiments with it. Fortified by the opinion of the hon. Baronet, Commander Sayer became more than ever discontented with the conduct of the Admiralty; and at the General Election in 1865 he withdrew his support in county and borough from all candidates, with the exception of him (Mr. Knatchbull-Hugessen), who had formed the late Administration. But let the House mark the sequel. Within the brief space of one year the changes and chances of political warfare drove from office those reckless despisers of inventive genius, and hope again dawned on Commander Sayer when he saw the right hon. Baronet opposite (Sir John Pakington) again engaged in the congenial task of re-constructing the navy, and seated by his side at the Board that very individual who had pronounced this invention too valuable to be lost to the country. Hope dawned again on Commander Sayer—but alas for the instability of human expectation! He sent his plans and models to the new Board of Admiralty; but they were returned to him with a note from the hon. and gallant Admiral opposite (Sir John Hay)—and this was the "unkindest cut of all"—saying, that however ingenious the invention might be, the Admiralty were not prepared to adopt it for the navy. He must add that Commander Sayer attributed the refusal to his declining to have any personal communication with the Controller of the Navy, by whom he complained of having been treated with great incivility at a former interview. With that he (Mr. Knatchbull-Hugessen) had nothing to do. He only knew that the models had been some weeks at the Admiralty, and the hon. Baronet would never have given the opinion which he had read to the House unless he had mastered the invention, so as to be fully able to explain to the Controller, or anyone else, that which he averred to be too useful to be lost to the country. He would respectfully suggest to the right hon. Baronet that, whereas of late years they had spent enormous sums in bringing to perfection instruments for the destruction of human life, when the question concerned an invention for saving that life, it surely would not tarnish the lustre of the right hon. Baronet's Administration if to such an invention he gave some consideration and some encouragement. He wished to ask the right hon. Gentleman, What communications had taken place between the Admiralty and Commander Sayer on that subject?

SIR JOHN PAKINGTON said, that the invention in question, whatever its merits, was of so simple and small a character that it was only through the partial views of the hon. Gentleman that it could be connected with the re-construction of the navy, towards which it would go but a very little way. He remembered that Commander Sayer had brought the subject under his notice in the lobby of the House some time since; and soon after he had the honour of holding his present office, Commander Sayer submitted his invention to the present Board of Admiralty, which took the course that was always followed when such inventions were brought before them—namely, referred them to the departments with which such matters were connected. The Board were desirous of giving a fair trial to his invention, and they directed that it should be considered by the Controller of the Navy. When the notice of the hon. Gentleman (Mr. Knatchbull-Hugessen) appeared on the paper, he made inquiries, and the answer he received was that Commander Sayer had had some personal difference with the Controller of the Navy, and was so much offended with that gentleman that he would not consent to his examining into his invention. They were perfectly ready to give a fair trial to the invention; but if Commander Sayer persisted in his unfortunate objection to have any connection with the officer who was the proper person to deal with the matter, it was to be feared that the subject must remain in abeyance for some time.

MR. STAYNER, LATE DEPUTY POSTMASTER GENERAL, CANADA.

QUESTION.

Mr. **CHILDERS** wished to call attention to a Treasury Minute granting a Compassionate Allowance to Mr. Stayner, late Deputy Postmaster General in Canada. He did not at all object to the grant of this allowance, which was no doubt made on grounds that were satisfactory to the Treasury; but to the form and manner of making it. Mr. Stayner's salary had been paid out of the postal revenues of Canada, which in 1851 or 1852 were handed over to the Provincial Governments, without any provision being made at the time that existing public servants holding warrants from the Postmaster General in England should be protected. Changes were afterwards made by the Canadian Government, involving the loss of his office, and Mr. Stayner applied for some compensation. Now, the Treasury had laid the Minute on the table as if the allowance made him were an ordinary pension under the Superannuation Act; whereas, in fact, it was not in any sense a grant under that Act. The proper course would have been for the Government to have specially called the attention of the House to the matter, and proposed that some compensation should be given to this gentleman, not for the loss of an appointment to which the Act referred, but because the Government in 1851 had omitted to provide some protection for him. It was desirable to prevent these things from becoming precedents; and therefore he trusted that the present inaccurate Minute would be withdrawn, and an amended one substituted for it and laid on the table in the usual course, and that a Motion would be made that it should be printed, so that the real facts should be within the knowledge of the House.

Mr. **HUNT** said, that the words referring to the Superannuation Act had been inserted purely by inadvertence in the Minute in question in consequence of the gentleman who drew the Minute having been misled by following the precedent of the grant of a pension to the Postmaster General of Jamaica. Mr. Stayner was appointed by the Postmaster General here, and, though paid out of the colonial funds, was virtually an Imperial servant. He had been removed from his position because the Colonial Legislature deemed it expedient that it should be filled by a political officer. For the loss thus occasioned Mr. Stayner had not been compensated by the colony, and the Treasury had therefore thought it right to make him a certain allowance. If his hon. Friend was of opinion that it was desirable, he should be happy to withdraw the present Minute and have it amended, and lay another Minute not drawn under the Act on the table.

REPRESENTATION OF THE PEOPLE—THE RESOLUTIONS.—QUESTION.

Mr. **AYRTON**, who had a Notice on the paper—

> "To ask the Chancellor of the Exchequer, whether it will be necessary to proceed with the Committee on the Representation of the People if he receives sufficient assurances that no obstacle will be interposed to his proceeding to a Committee on his intended Bill for amending the Laws relating to the Representation of the People,"

said, he considered it to be his duty, notwithstanding what had been said that evening, to press upon the Chancellor of the Exchequer the question of which he had given notice. It had occurred before now in the proceedings of the House that when considerable embarrassment was felt on the part of a great number of hon. Members in arriving at a satisfactory determination on any important subject about to be brought under their notice, great advantage had arisen from some preliminary conversation on the point before they reached that stage where party excitement was aroused, and when they came there arrayed on one side and on the other, and prepared to discuss the question rather for the sake of victory, perhaps, than for the solution of it upon its intrinsic merits. Therefore, in regard to the state of the great question of Reform it might be desirable that in anticipation of the explanations promised by the Chancellor of the Exchequer on Monday, they should endeavour to arrive at some understanding as to the best mode in which the House might express its determination upon the leading and most important points awaiting its decision. He did not press his Question on the Chancellor of the Exchequer in any spirit of discourtesy or of hostility to the Government. He could quite understand how it should have occurred to them, having regard to some historic facts, to have re-introduced this subject of Reform in a somewhat unusual and circuitous manner, so as to protect themselves from a repetition of what had previously taken place. He could quite understand that the Chancellor of the Exchequer, recollecting how on two former occasions a Conservative Government had been subverted by the proceedings of their opponents, must have felt, in endeavouring for the second time to approach one of the subjects which led to their destruction, very desirous to protect himself from the repetition of a similar mode of attack. He did not, therefore, complain because the Government had taken a somewhat circuitous course of bringing the subject of Parliamentary Reform under the consideration of the House. He did not think he should be permitted by the rules of debate to examine in any detail the course the Government proposed to pursue; because he would not be allowed to examine the Resolutions of the Chancellor of the Exchequer for the purpose of seeing whether they were intricate, complex, or difficult to deal with, or whether, in point of fact, they were likely to embarrass the House in its proceedings, rather than to elucidate the subject which they had to discuss. Still less should he be allowed to refer to those Resolutions for the purpose of asking how far they were consistent with all that was urged during the last Session of Parliament against the proceedings of the late Government, in not disclosing fully, completely, and at once, their entire scheme with regard to Reform. He thought it unnecessary to allude further to these points; because since the right hon. Gentleman the Chancellor of the Exchequer first brought this subject under the consideration of the House, he had made an announcement of the utmost importance, and one that, regarded from that (the Opposition) side of the House, must naturally affect any course that they might otherwise have been inclined to pursue. The subject had been presented to them in an entirely new light by the announcement made by the Chancellor of the Exchequer that the Government would be at once prepared to lay before the House a Bill which would explain and develop the Resolutions that had been laid upon the table. They were now no longer under the impression, as it were, that the Government were groping in the dark—that they were going into Committee for the purpose of finding out what the inclinations of the House might be. The Government had now announced that they were prepared to accept the full responsibility of placing a Reform Bill on the table of the House. [An hon. MEMBER: No!] His hon. Friend behind him said "No;" but he understood the Chancellor of the Exchequer to have made a statement substantially to the effect that the Government were prepared to accept the full and undivided responsibility of laying a Bill on the table of the House that would fully explain and develop the general propositions contained in their Resolutions. If that was so, he was entitled to ask what necessity there really was for any preliminary proceedings such as had been proposed? What ground had the Government now to fear that they would be met on this occasion by courses such as those to which he had referred? It was true that many hon. Members on that side of the House took part in the proceedings of 1859; but he thought they ought not to forget that they were now led by a right hon. Gentleman who took no part in those proceedings, or in the anterior proceedings to which he had adverted. As far as they could judge—as far as they had the right to form an opinion from everything the right hon. Gentleman (Mr. Gladstone) had said, not only when he was sitting on the Ministerial Bench, but also since he sat on the Opposition side of the House—the right hon. Gentleman had no great respect for those precedents, and had little desire to imitate them, and was rather of the opinion that what then happened had not been much for the interests of the country. The question then arose, who were the persons who were likely to obstruct the progress of the Government with their Bill? Who was prepared to repeat the tactics the use of which in 1859 had since been so frequently condemned? He confessed he was quite at a loss to know. No doubt some hon. Members on his own side of the House had expressed the strongest objection to any reduction of the franchise at all; but their numbers were comparatively few, and however powerful they might be in debate, they certainly could exercise no very great influence on the division list. Well, what other ground was there for anticipating that the Government would be obstructed in their endeavours to carry a measure of Reform? It was true there were also some hon. Gentlemen—but their numbers were still fewer than those whom he had before referred to—who thought that upon some grounds of political philosophy and morality a Conservative Government ought not to be allowed to bring in a Reform Bill at all. He did not think, however, that this opinion had been so far recognised as to be a source of danger or distrust to the Government. In the present day, when the doctrine of development was so fashionable, he could see no reason why a Conservative Government should not develop a Reform Bill as well as any other party in the State. What cause of difficulty then remained. Where was the real necessity for the circuitous method proposed by the Government? He was unable to find them. He was bound to say that he had heard expressed by hon. Members on his side of the House such disinterested views—he thought he might say, without flattery, such patriotic views—on this subject—such an entire disregard of all the pretensions that they might have made as belonging to a great, and perhaps he might say an ascendant party in the State, that he entertained a deep conviction that there was an anxious desire—on the part of many of them at any rate—to assist in every way the progress of the Bill, so that they might have at the earliest period a legitimate and proper opportunity of expressing the opinions that would arise in the solution of this great question. Well, then, he said that, looking also to the speech of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), in withdrawing the Reform Bill last Session, and looking also to what the right hon. Gentleman had said in the present Session, he was justified in believing that the right hon. Gentleman would be ready to lend his assistance to the Government in a frank and loyal spirit, and so to enable the House to legislate successfully on this subject without further delay. If he had taken a right view of the subject, he wanted to know why the Government should pursue a career which was pregnant with the greatest embarrassment, difficulty, and perplexity to the House? It would be much better if they could accomplish that which was avowed to be the real object and purpose of the Government without this embarrassment and perplexity; and he thought that it would tend not only to the honour of the Government, but to the honour also of the entire House, if they at once adopted the more usual and more suitable course of proceeding to legislate on this subject by Bill. No doubt, as the right hon. Gentleman the Leader of the House had said that night, the Government were entitled to prescribe the course they thought it right to adopt; nor did it in any way derogate from their views on this subject when he asked them to alter their present course and prescribe a different one, provided they had sufficient assurance that that course would not result in embarrassment and perplexity. It was the province of the right hon. Gentleman to lay down to the House the mode in which the House should proceed with the consideration of any great measure. He occupied a position which required him to take the initiative and to act for the Government. On the other hand, the Leader of the Opposition could take no course until the Government had completely developed their views on the subject. As he hoped that any overture on the part of the Government would be met on that (the Opposition) side of the House in the most frank and liberal manner, he thought the right hon. Gentleman would do well to indicate his disposition to waive the preliminary proceedings of the Government if he had that satisfaction accorded to him in return. He therefore pressed upon the right hon. Gentleman the Question of which he had given notice, and was sure the Government would sacrifice nothing of its importance or dignity by acceding to that request; and if they could dispense with long debates on the abstract question, and on hypothetical grounds, and get to the investigation of the measure itself, it would tend not only to maintain the reputation of the Government, but what was still more important, the reputation and honour of the House, and the just influence which it ought to exercise over the minds of the people of this country. The hon. and learned Member then repeated his Question.

THE CHANCELLOR OF THE EXCHEQUER: I am quite willing to accept the assurance of the hon. Gentleman that his observations are made in no unfriendly spirit to the Government, and in a similar spirit I respond to them. I can assure him that he has mistaken the character of the Administration if he fancies they have formed an erroneous or exaggerated idea of their own importance. They are only anxious to use such influence as they possess to favour the advancement of good legislation in this House, and if possible the settlement of the important question which has so much occupied the attention of the Parliament and the country. I must say, with great respect to the hon. Gentleman, that I cannot think we have erred in the course we have adopted. In taking that course we have been guided by a strict adherence to Parliamentary precedent and practice, not from any superstitious veneration for them, but because we know that our precedents embalm the wisdom and reflect the practical sagacity of former generations. We thought it absolutely necessary to have recourse to procedure by way of Resolution; and when I addressed the House a week ago, if I had confined myself to arguments in favour of that procedure, and had given the main reasons which had induced the Government to adopt that course, I should have been strictly in order, and nothing more would have been required of me. But representations were made to me by hon. Gentlemen on both sides of the House to the effect that it was desirable that the general character of the Resolutions should be known, and that the House should understand whether the Resolutions expressed general principles or went into great detail. Therefore, I wished frankly to explain to the House that the Resolutions expressed principles, and I took the opportunity of vindicating in some degree the course pursued. I think it impossible to bring forward Resolutions as the basis of legislation, especially on a subject so vast as that of the representation of the people in Parliament, except in the way of expressing principles, and I cannot see we have any cause to regret the course we have pursued. From all that has happened since, I have reason to believe that the prospect of legislation on this subject has been advanced and facilitated, and nothing has been said or done by the Government, notwithstanding the criticisms offered here and elsewhere, which the Government have cause to regret or wish to see altered. Therefore, I hope that they may be allowed to pursue the course they have selected to follow. They would not pursue that course if they believed it would lead to delay. On the contrary, I am convinced that, with that candid reception on the part of the House on which we now rely, the course adopted by the Government is one calculated to facilitate the ultimate settlement of the matters in question. The Resolutions are on the table of the House. It would be irregular to enter now into a discussion of their character—as the hon. Gentleman has studiously refrained from discussing them, I think I ought also to refrain from doing so; but this I may say, that the Resolutions express principles, and the Government will put the House in possession of the application of the principles expressed in the Resolutions which they recommend. It is possible, in the situation in which the Question is now placed, that in adopting these principles the House may think proper to apply them in a manner different from that proposed by the Government; but, at the same time, it would be most unwise in the Government to lose the advantage of the discussion which would arise on the Resolutions, and we believe that, without occasioning delay, the passing of them by the House will greatly facilitate the progress of the measure we shall have to introduce. I trust that the House, considering the difficulty of managing this question, will put a charitable construction on the motives of Ministers, and not believe that they have had recourse to the procedure they have selected in order merely to amuse the House for a time, with a view to the ultimate postponement or procrastination of the subject. They have resolved to use their utmost energy in forwarding the settlement of the question; they have put their hands to the plough, and they will not desist from the work unless arrested in their labours by the House, or until the field is tilled.

MR. GLADSTONE: I am prepared to bestow that charitable construction on the motives of the Government for which the right hon. Gentleman has made an appeal; and I think that the best mode of doing so is to avoid all imputation or reference of whatever kind with respect to the motives of the Government. We are here embarked in a common cause. I am bound, however, to say I think my hon. Friend (Mr. Ayrton), who received just credit from the right hon. Gentleman for the spirit of his observations, was so far justified in the course he has taken, inasmuch as he endeavoured to give expression to the feeling generally entertained in the House that we are placed in a position of considerable embarrassment. As I understand the case, there are in the country and in the House various currents of feeling with respect to the subject of Parliamentary Reform. Some of these currents are in opposite directions, and tend to neutralize one another. Some are desirous of extensive enfranchisement, others fearful of its consequences. They are opposed to each other; but I venture to say there is one powerful and prevailing feeling which, I think, pervades nearly the whole community united, and which likewise is reflected faithfully and generally within these walls, without reference to political opinion, and that is a strong and earnest—I might venture to say an absorbing and overpowering—desire that we should now, within the limits of this present Session, arrive at length at a legislative settlement of this question. There being that desire in the House and the country, it follows that what we wish for includes this important point likewise, that the question should be settled if possible by those who are now in power. It is wholly out of the ability and capacity of any one set of men to conduct the deliberations of this House to a real and satisfactory issue with respect to the representation of the people unless they be the responsible Advisers of the Crown. We have before us a Government, and as far as I am individually concerned, I have expressed my perfect willingness and earnest desire—and I believe that in so doing I have expressed the sentiments of many others on this side—to co-operate with the present Government for an effectual and, above all, an early settlement of this question. What we are anxious for is that the Government should avail themselves of this favourable state of feeling, and take all steps to conduct to a practical effect this disposition so generally prevailing in the House. The Government have presented Resolutions on the subject of Reform, and I, for one, have stated a perfect willingness—suppressing, I am bound to say, my own strong opinion that such was not an expedient course—to accede to the mode adopted by the Government, and to take no objection on general grounds to the course of proceeding by Resolution. But the right hon. Gentleman will be aware that we listened with much anxiety and with careful attention to the justification which he, as the organ of the Government, made for the mode of procedure which he had proposed for our adoption. The right hon. Gentleman the Chancellor of the Exchequer gave a special reason for that course, stating in effect—for I do not pretend to quote his words—that had the Government submitted their intentions with respect to Reform in the shape of a Bill, they might have been met, as on a former occasion, by the invidious selection of some one point from among the provisions, and thereby their general and comprehensive scheme might have been by no very legitimate process got rid of in this House. My hon. Friend (Mr. Ayrton) has endeavoured to convey to the Government the assurance that there was not the smallest probability of such a proceeding; and after what has

fallen from the right hon. Gentleman as well as from my hon. Friend, I cannot help expressing my strong belief in conformity with his. Sir, of course it would be presumptuous in me were I to undertake to bind any Gentleman in this House, far less any body of the Members of this House, by the expression of an opinion of my own beyond the limits to which my personal communications, may have extended; but, at the same time, the circumstances of this case are so clear, and they have assumed a character so historical, that I can hardly think they leave a doubt on the mind of the Government or the right hon. Gentleman for the apprehension he has expressed, and which he has stated led him to the conclusion he has announced. The right hon. Gentleman adverted on a former evening in terms of disparagement and censure to the proceedings of 1859. I am not bound to defend those proceedings further than to say I do not think they merited the kind of censure bestowed upon them. That, however, is immaterial, except so far as to guard me as to what I have further to say. The proceedings of 1859, whether prudent or not, would in my opinion have been perfectly justifiable, had they been taken by a Parliament that had its heart and its mind earnestly set on legislating for the purpose of Parliamentary Reform. But now, with the light that experience affords, it is impossible to regard the proceedings of 1859 without including in our review the proceedings of 1860; and taking the operations of these two years as one operation—taking the strong and decisive measure adopted in 1859 together with the lame and unsatisfactory completion of it in 1860—I am certain I cannot misrepresent either the public sentiment, or the general sentiment of this House, or the sentiment of the powerful party that occupies these Benches, when I say that these proceedings cannot be repeated. Therefore, the reasons assigned by the right hon. Gentleman for the course he has adopted have disappeared; and undoubtedly it would have been to me a matter of great gratification had the right hon. Gentleman been disposed to accede to the suggestion offered to him in no unfriendly manner by the hon. Member for the Tower Hamlets. From what he has stated, I fear he is not disposed to accede to that suggestion. For my part, whatever my regret and concern may be, I do not withdraw from any assurance I have ventured to give. I do not refuse, for one, to entertain the method of procedure by Resolution ; but I must observe, that at the present moment we are placed in a peculiar position, especially with reference to a particular point. We are greatly desirous of prompt proceeding, and another request was addressed to the right hon. Gentleman the Chancellor of the Exchequer of a much more limited character than that which proceeded from my hon. Friend the Member for the Tower Hamlets ; it was that we might be favoured upon the earliest day—upon a day earlier than Monday next—with those additional explanations to which the right hon. Gentleman has referred, and which he calls the explanations of the Government Resolutions which are due to the House. Sir, I will not so far bring into question the Orders of this House as to make a single observation on the character of the Resolutions themselves—as to their being general or precise, as to their being declarations of principle or of practice—what they may or may not be ; but this I must observe, that upon the comparatively narrow point raised by the request I have just referred to we are in a position, so far as I know, without precedent. On Monday last the right hon. Gentleman gave us an explanation of the Resolutions. The right hon. Gentleman most properly recognised the Parliamentary rule that a measure of such a character cannot be advantageously considered by the House immediately after the statement of its principles by the Minister of the Crown. He proceeded in the same manner as does every Chancellor of the Exchequer upon the somewhat analogous question of the Financial Statement of the year. He submits the Financial Statement, but he never asks the assent of the House to that statement until a future day ; or if for financial reasons the affirmation is asked of any particular proposition, it is always considered a mere formal affirmation, and its merits remain open to further consideration. That principle is well established. We thought we had received the statement of the right hon. Gentleman as to the propositions of the Government on Monday last, and we thought we should be in a position on the 25th to proceed with their discussion ; but we find now—not to-day only, but on a previous occasion, on Friday — that we have not yet the full explanation of the right hon. Gentleman. We are in possession of one moiety of that explanation, and the other moiety of the explanation is to be delivered on the very day on which we are to be invited to consider the Resolutions. Therefore, Sir, it appears to me that it was with consistency and propriety that my hon. Friend the Member for Leeds (Mr. Baines) suggested that, as time is admitted to be of such value in this matter, and as the principle is recognised that the Ministerial explanations of a plan or proposition of this kind ought to be in the possession of the House before Members are called on to vote upon it, the right hon. Gentleman would at least have been disposed to accede to that limited and moderate demand, and afford his explanations on an earlier day than Monday next. These explanations, it is quite evident, must be very important explanations. So far as I know, it is very rare—indeed, I do not recollect any example of a Minister in submitting Resolutions that are to be adopted in Committee of the House —to introduce them, not by one, but by two statements of the views of the Government. I am fearful of treading on tender ground, and therefore I confine these remarks simply to matters of fact, patent to us all ; but I own I am hardly so sanguine as to believe that it will be possible for the House, after receiving the second statement of the right hon. Gentleman, which must necessarily be a statement in enlargement of the first, and which may possibly be a statement in modification of the first—I do not at the present moment see how the House can be in a position to proceed with advantage to a definitive judgment on the Resolutions on Monday next, unless it be the pleasure of the right hon. Gentleman to save, I think, our time and expedite the progress of business by favouring us at an earlier period with those explanations which, as he says, still remain due to the House. Sir, I feel deeply the responsibility which attaches to us all in the present state of affairs. I hope that I have endeavoured in these remarks to confine myself exclusively and rigidly to what is connected with prompt and effectual progress in dealing with this question. The observation I point out is that I fear a farther delay beyond Monday may have to be encountered, unless the right hon. Gentleman can accede to the proposition of my hon. Friend the Member for Leeds ; that these delays, if multiplied, will become highly unsatisfactory both to the House and to the country. Having said so much, I leave it to the impartial consideration of the right hon. Gentleman and the Government whether they cannot in some way or other meet the desire—we think not an unreasonable desire — that without any avoidable loss of time whatever we should find ourselves brought to deal practically with the great issues involved in the subject of the Representation of the People.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—SUPPLEMENTARY CIVIL SERVICES 1866-7.

SUPPLY *considered* in Committee.

(In the Committee.)

(1.) £45,721, Purchase of the Blacas Collection of Coins and Antiquities for the British Museum.

THE CHANCELLOR OF THE EXCHEQUER, in proposing a Vote for the purchase of this collection, said, the Government were induced during the autumn to take on themselves the responsibility of making the purchase of, I believe, the most celebrated private collection connected with ancient art. That was a step which, of course, we could only take with great reluctance; but we were compelled to take it by a sense of duty, and I hope we shall have the sanction of the House for the course we have adopted. Sir, this was the purchase of a collection which had been formed by the Dukes de Blacas during the present and the latter part of the last century. Of it it may be said that everything therein was choice, much was rare, and some things were unique. The attention of the Trustees of the British Museum was drawn to the circumstance that at the end of the autumn, by the law of inheritance that prevails in France, this great collection would probably be in the market. There was a particular reason why the attention of the Trustees of the British Museum—irrespective of their anxiety, when such opportunities are offered, to secure for the country specimens of art of a very choice or rare character—was attracted to the Blacas Collection. In our national collection of ancient art, which, on the whole, may be described as unrivalled, there is one great deficiency. It possesses no collection of ancient gems of any reputation. Now, the most rare and valuable portion of the Blacas Collection consists in a number of gems unrivalled in any private collection in Europe, that of Blenheim alone excepted. It was therefore of great consequence that these gems should be obtained for our Museum. One great reason why that consequence was so urgent was that no such opportunity would probably ever occur again, and, most certainly, not in this century. All the celebrated gems of antiquity are now well known, and most of them form part of Royal or Imperial collections. It is at St. Petersburg, Berlin, Vienna, and Paris, that the most valuable of these antique gems are to be found; while England, notwithstanding the celebrity of her British Museum, was almost entirely deficient in specimens of these works, which are among the most exquisite and rarest works of ancient art. It was obvious, from all intelligence that reached us upon the subject, that the Blacas Collection would be purchased by some foreign State, should we fail to secure it for ourselves; and, indeed, we were aware that the Emperor of the French had already appointed a committee to examine these treasures in order that they might be obtained for the French nation. There was, of course, considerable hesitation on the part of the Trustees of the British Museum—a hesitation which was naturally shared by Her Majesty's Government—as to the purchase of the whole of this collection. Had not this collection been purchased by some State, it would in the ordinary course of things have been brought to public auction, and it might have been sold under the same conditions as were two well-known collections of late years. In that case the British Museum would have sent an envoy thoroughly acquainted with the subject to the sale, with authority to expend a certain sum in making purchases for the Museum. It was accordingly contemplated that Mr. Newton, who is a gentleman most distinguished in this peculiar class of knowledge, should be directed to attend the sale, in order to purchase the most beautiful portions of the collection for this nation. The Government, however, found that if Mr. Newton were sent to attend the public sale we should have been called upon to give him a credit to the extent of at least £30,000; and it became us to consider whether it would not be wiser, instead of spending this large sum upon particular objects and portions of the collection, by a further expenditure to secure the whole. Mr. Newton went over to France, and examined the whole collection with a knowledge and a taste upon which we have thorough dependence; and he having made his report to the Government, we had reason to believe that it would be of the greatest advantage and benefit to this country, as well as for its honour, that it should acquire these treasures. Under these circumstances, we had to consider whether we should authorize Mr. Newton to purchase the whole collection. I will not venture—and perhaps it might be imprudent—to mention the amount that Mr. Newton was authorized by Government to offer ; but I may say that that gentleman, acting under our instructions, made an offer of £45,000 for the purchase of the whole collection. That offer was refused ; but I am glad to say that in the course of twenty-four hours after it was made the purchase was concluded on behalf of the country for £48,000. We have, however, reserved to ourselves the right of selling those portions of the collection, of which the British Museum possesses admirable duplicate specimens, and by this means we reduce the total sum paid by £2,221. The whole sum, therefore, that appears in the Estimates which I am now going to move, as having been expended upon the purchase of the Blacas Collection, is £45,721. I will now detail to the House with brevity the principal objects which we have obtained by this purchase. In the first place, we have gained one of the finest collections — probably the finest private collection — of gems in the world. It comprises 900 specimens, many of which are of the most exquisite description. These are now added to the British Museum, which before possessed but few works of art of this description and scarcely any of great importance. The British Museum also, which until the time of this purchase may be said to have been without a single cameo, now possesses the finest in the world—namely, that of the head of the Emperor Augustus, a cameo which has a European reputation, and which was purchased among others by the Duke de Blacas from the unrivalled Strozzi Collection, the beauties of which have been made known to the world by the most celebrated engravers. Hon. Gentlemen are, doubtless, aware that it is a most hazardous experiment to purchase gems whose history is not well known, and therefore the value attached to a well-authenticated gem is very considerable. Besides these magnificent gems we have obtained some of the finest Roman coins that, in all probability, were ever comprised in an individual collection. It so happens that the British Museum, although deficient in gems, is peculiarly rich in Roman coins ; but some rare examples were wanting, and these the Blacas Collection will supply :—moreover, we have secured by the purchase several very rare and some unique specimens, and we may now say that our national collection of Roman coins and medals is the finest in the world. Besides these gems, coins, and medals, we have secured a very numerous and particularly rare collection of fictile vases. In these latter works of art the British Museum was already rich, and especially with relation to the early Greek period ; but it was deficient with regard to the later period, when art flourished in its greatest luxuriance in Magna Græcia, and we have now been enabled to add 500 specimens of this latter age to our collection. I should perhaps not trouble the Committee further than to touch upon these three great divisions of gems, coins, and vases contained in the collection, which give an idea of its riches, but, by no means, the whole of its treasures. It contains one magnificent perfect specimen of sculpture in the head of Æsculapius of the period of Praxiteles and Lysippus, the very highest age of Grecian art, which will rank among the finest specimens of that great school. It might, perhaps, not be uninteresting to the Committee were I to point out one article in the collection which is so unique that there is nothing in Rome itself that approaches it. It was discovered in the Esquiline Mount in Rome in 1793. It is a copper casket of considerable size ornamented with silver, and holds the entire toilette service in solid silver of a Roman lady—the whole being in a perfect state—and thus giving us a very curious illustration, not only of the manners, but also of the art of chasing of that period. There are many other heads under which this great and rare collection might be divided. It would, however, be impertinent in me on an occasion like this to trouble the Committee further ; but I believe from all that has reached me that this purchase has been made under fortunate circumstances, and that this country has acquired this celebrated collection upon terms which it never will regret. I may add that more than one State in Europe has been greatly disappointed at its being secured for the national collection of England. I trust that the Committee will allow me to move that the sum of £45,721 be voted for the purpose of defraying the cost of purchasing this collection, and that they will sanction the expenditure which the Government admit to be exceptional, but which, under the circumstances, they felt it to be their duty to incur.

MR. GLADSTONE: Had the Motion of the right hon. Gentleman required a Seconder, I should readily have undertaken that office. I do not mean to say that I have the knowledge or the experience in this particular matter which would in any way enable me to judge as to the precise relation between the value of the collection and the sum paid for it; but, having no reason to doubt that the right hon. Gentleman has well examined that question, I have not the slightest reason to believe that the state of the case is other than he has represented it to be. The right hon. Gentleman is himself aware that it would have been far more desirable had that course been possible for him to have submitted this Estimate in the regular course to this House previously to the purchase of this collection. He admits that he has undertaken a special responsibility in authorizing the expenditure of so large a sum without the sanction of Parliament. I wish, therefore, to release him from that responsibility as far as an individual Member of this House can do so. We have certainly arrived at a time when it becomes a very serious question whether we should grudge a sum of money for the purchase of rare articles such as those contained in this collection at a price not in excess of that which usage warrants. Now, I own that I do not see how the wealth of the country can be beneficially employed if not in the acquisition of treasures of this nature, which are themselves not only a perpetual and unfailing source of delight to multitudes of cultivated persons, but which are likewise a most powerful instrument of practical education for the people. If any Gentleman sit within these walls who yet require to be convinced, or, I will presume to say, enlightened, on that subject, I would humbly take the liberty to refer them to the masterly address delivered within the last fortnight by a Member of this House (Mr. Stuart Mill) to the students of the University of St. Andrew. I thank my hon. Friend the Member for Westminster on this public occasion for the singular felicity and power with which he has illustrated, with the weight of his own great authority, this practical and most important subject. There is one point on which I have a few words to say—namely, in regard to the question of Supplemental Estimates; but I do not like to mix that up in the present Vote, because it is a point which stands on its own ground, and therefore I will reserve it till we come to the next Vote. For the present, taking it, it is true, on trust to a great extent, but fully believing that the right hon. Gentleman has been quite justified in the course he has taken, I sincerely congratulate him on having been the means of obtaining for the country this most valuable acquisition.

MR. GREGORY thought that few persons would censure the Vote now proposed, for the press, as well as every person who had spoken to him on the subject, had with one accord approved most heartily of the course pursued by Her Majesty's Government. Indeed, if we were to have a great collection and to spend large sums of money on works of art, nothing could be so injudicious as to lose, for the sake of a few hundred pounds, opportunities which might never again present themselves. In the course of his experience in the House of Commons he had never known any serious objection made to any special Vote like the present. Private individuals abroad had great wealth, and they knew what rivalry there was on the Continent among Emperors and Kings to secure these treasures of art, so that the obtaining of these works of art was a very difficult task. Therefore, a rich country like England ought not to scruple to purchase a great collection like this when it came into the market. He wished, however, to make one other observation. Could anything be more hopeless or lamentable than the condition of the British Museum? The greater portion of the works of art in the collection which formed the subject of this Vote would, he feared, be stored up, so that the public generally would not have a chance of seeing them. This would be owing to the want of proper accommodation, and he hoped the Chancellor of the Exchequer would, as soon as he was relieved from the present pressure of politics, propose to the House some scheme for the better arrangement of the British Museum, so as to make its treasures available to the public. He, for one, would do all that lay in his power to assist the right hon. Gentleman in carrying out that object; because he felt that the vacillation, the want of system which prevailed in regard to that great national establishment rendered it a reproach to the country.

Vote *agreed to.*

(2.) £165,309, Royal Palaces.

MR. CHILDERS said, it would be convenient if he took that opportunity of calling the attention of the House and that of his hon. Friend opposite to the construction of this Estimate, which he believed was almost without precedent. He did not think that hitherto it had been the custom of the House to vote at the commencement of a Session sums similar to that proposed in this Vote, in aid of Votes made in the early part of the financial year—at all events, it had not been the custom for the last few years. He had referred especially to the Estimates of last year to see under what circumstances the Supplementary Estimates had then been asked for, and he found that no Supplementary Vote had been taken on account of the Civil Estimates for the then current year, but that certain excesses on the Votes of the previous year, 1864-5, had been provided for. This was necessary, because till that time the previous practice in voting the Civil Service Estimates had been different from that which was observed in voting the Army and Navy Estimates; for, whereas the latter Estimates were given in respect of sums which came in course of payment during the year, the Civil Service Estimates were merely in respect of sums required for the service of the year. Two years ago that practice was altered, and it became necessary to wind up the old accounts. Consequently, last year, the Treasury brought in a Supplementary Estimate, not for the service of the year 1865-6, but for the service of the year 1864-5, so that the balances of certain accounts for the year 1864-5 might be closed. The Government then proposed the Estimates for 1866-7—the current year—and in them such provision as was necessary was introduced to make good anticipated deficiencies on the payments for the expiring year 1865-6. It was not usual at the commencement of a Session to vote any excesses on the existing year. All that it was usual to do was to vote any actually ascertained excesses in the Estimates of the preceding year, and to include in the Estimates of the following year any sums which it was thought would be required to make good advances for the current year out of the Civil Contingencies. The sum required last year was rather excessive, because of the change in the method, and he thought the Supplementary Estimates were between £200,000 and £300,000. That Vote passed without any objection being made. This year a new process had been introduced by his hon. Friend, who proposed that the House should vote in February certain sums for certain excesses anticipated on the Votes, not of the past, but of the current year. Indeed, it was proposed that excesses on individual items should be voted. The paper did not tell the House merely that the Vote No. 1, or No. 2, or No. 3 would be exceeded, but that certain items in those Votes would be exceeded; and his hon. Friend asked them to include all these individual items of excess in a fresh Estimate, to be accumulated upon the Estimates for the current year. He thought his hon. Friend ought to explain to the House why he had adopted this novel course, which might be attended with inconvenient results. If the House did not know whether the aggregate Vote was in excess, they might, perhaps, vote an additional sum, after all not really required, but which would tend to disturb the calculations on which the total expenditure of the Civil Services had always been based. Thus money would be unnecessarily placed at the disposal of Government which might be applied to other parts of the Vote, not mentioned on the face of the Supplementary Estimate. Besides, the tendency of trusting to a Supplementary Estimate on an ensuing Session would be to induce laxity in dealing with the original Estimate. As the Government was introducing a new practice, they ought to give good reasons for doing so before it was endorsed by Parliament. It had of course been anticipated that it would be necessary to supplement some Votes, and also to meet claims which had not been provided for; but this possibility was expressly contemplated by the Civil Contingencies Fund, the capital of which was £130,000. If the Government, instead of falling back upon this fund, was at the beginning of a Session to recoup itself by a Supplemental Estimate, it would be necessary for Parliament to consider whether the Civil Contingencies Fund was not too large for Government to have it at its disposal.

MR. HUNT said, that the sums which were provided for in this Supplementary Estimate would, no doubt, under ordinary circumstances, have been paid out of the Civil Contingencies Fund; but it must be remembered that quite a new system of audit had been introduced, and it was therefore thought better, in this transition period, to clear the account entirely of sums that might have been recouped from the Civil Contingencies Fund, so that a fair start could be made with the new system. It was on that account that the Estimates were proposed in this form, and the explanation, he hoped, would be satisfactory. The first item in the Estimates was the re-voting of a portion of a sum of £1,780, which was included in the Estimates for 1864-5, and the item was therefore placed in the Estimates in accordance with the usual practice.

MR. GLADSTONE said, he was glad to learn, from the statement which had just been made by the hon. Gentleman the Secretary to the Treasury, that that Vote had been submitted to them under peculiar circumstances, and that it was not to be repeated. He would not take upon himself to decide upon the sufficiency of the reason assigned by the hon. Gentleman for the adoption in that instance of so exceptional a course, and he felt that it was the less necessary he should make such an attempt, inasmuch as the matter was not one of any great importance. But he confessed that he felt strongly in reference to the general question of Supplementary Estimates. He was persuaded that if any party or any Government wished to undermine the Constitution of this country, and the control of Parliament over the public finances, they could adopt no more effectual method for the attainment of that object than the presentation of Supplemental Estimates, which would necessarily prevent the House from exercising any real check over the national expenditure. The power of Parliament depended on its permitting no deviation from the principle of one Estimate of expenditure and one Estimate of revenue, except under very grave and exceptional circumstances. [" Hear, hear!"] The hon. Gentleman the Secretary to the Treasury seemed by his cheers to assent to that enunciation of opinion, and he (Mr. Gladstone) thought that it would, therefore, be unnecessary for him to state the grounds on which he had been led to that conclusion; but he should repeat that he regarded that question of Supplementary Estimates as one which deserved the anxious and vigilant consideration of Parliament.

MR. GILPIN did not know that he should object individually to these Votes; but he did object to the Committee being called upon to vote upon all sorts of questions in a way that he never before, during his Parliamentary experience, recollected them to have been. He did not think they should be called upon to vote £165,000 in that offhand way. He thought it was due to the House that they should have an opportunity of discussing these Votes in detail. He trusted that the course now taken would not form a precedent for the future.

COLONEL SYKES said, he could not conceive why many of those items of expenditure, such, for instance, as the charge for the Royal Parks, should not have been foreseen; and the fact that those Supplemental Estimates were brought forward must, in his opinion, be held to be discreditable to the sagacity of the heads of the different Departments.

LORD ROBERT MONTAGU wished that the Secretary to the Treasury would explain his former explanation. It was not enough to say that the matter should not be drawn into a precedent, for that would not prevent it. A method of proceeding had been established by the House for such cases. A Civil Contingency Fund had been instituted; it was that fund which should have been drawn upon for the expenses in question, and then a sum would be voted in 1867-8 to make up the deficiency.

MR. WYLD said, there were two points on which he was anxious to receive any information which the Government could supply. He wished, in the first place, to know whether it was the intention of the Government to entrust the execution of the new National Gallery to the architect who might be held to have produced the best design? He further desired to be informed whether intelligence has been received from Mr. Rassam to the effect that the Emperor of Abyssinia regards this as a political question, and will not release the prisoners unless he receives diplomatic communications from the Government?

MR. E. C. EGERTON, in reply to the last Question, said, that no intelligence had been received by the Government with respect to Mr. Rassam and the Abyssinian captives since the 12th of December; and he regretted to have to add that, according to that account, they were still in chains, although they were in good health and in good spirits as regarded their future prospects. The third item of £4,500 was for the expense of a body of artisans who had been sent out, and who were furnished with an autograph letter from the Queen. They had been unable to reach the Emperor Theodore, in consequence of a rebellion in his dominions. They were therefore still at Aden, and Colonel Merewether had instructed them to remain there until the captives had been released.

MR. OSBORNE said, he looked upon that Vote as a sort of *olla podrida* such as he had never before seen brought before Parliament; and many of the items seemed to him to require explanation. There was, for instance, a sum of £1,575 to be paid to Messrs. Banks and Barry for a design which they had been commissioned to make of a National Gallery on the site of Burlington House. He was quite aware that the noble Lord opposite was in no respect responsible for that sum. He would like to see the late First Commissioner in the House to explain why Messrs. Banks and Barry were originally to receive £5,000 for preparing designs for which that House had never given any authority. He was also struck by a Vote of £3,372 for the railing at Hyde Park; but he supposed that was the cost of the meeting which it was proposed should be held in the Park last summer. Then there was a sum of £1,300 for the expenses of the marriage of the Princess Helena, and immediately after that a sum of £65,000 for the cattle plague. Another item, which he saw with surprise and disapprobation, was an additional payment of £600 to be made to Mr. Cope for repairing the frescoes in the Houses of Parliament. He had always resisted the abominable uses to which the walls of these Houses had been put with respect to frescoes. The frescoes were dropping off the walls for shame. Had Parliament ever given its sanction to such additional remuneration? They were told that the Fine Arts Commission recommended that this sum should be given for the follies perpetrated on these walls. So long as the House of Commons consented so long would the Fine Arts Commission go on indulging their taste, and then call on the House to pay. If he could get any hon. Gentlemen, beside the leader of the forlorn hope, his hon. Friend the Member for Aberdeen (Colonel Sykes), if he could get any respectable body of men, even thirteen, the number of the Reform Resolutions, he would go to a division.

LORD JOHN MANNERS said, that the Burlington House design for the National Gallery had been prepared in 1859 when his predecessor was in office. When Messrs. Banks and Barry sent in their bill it was for a sum of £5,007; but they consented to reduce the amount very largely, on condition that they should be appointed architects for the new buildings on the same site. What had in reality been done was this—the country had been saved £3,000 by the Vote which the Committee was now asked to sanction. He was not responsible for the plan of 1859. The hon. Gentleman opposite had very naturally alluded to the cost of the riot in Hyde Park; but he (Lord John Manners) could not help being a little amused at the suggestion of the hon. and gallant Member for Aberdeen, who seemed to be of opinion that it was the business of the Government to be prepared for everything beforehand, and that therefore it was the duty of the Department charged with the superintendence of the Royal Parks to have foreseen every charge that might arise in the course of the financial year. He did not think that his predecessor was fairly chargeable with having made no provision for this exceptional case. The money had been expended in replacing in a temporary manner the railings pulled down. It was perfectly obvious that it was a proper charge, and it was impossible to make any provision for it at the time. With respect to the frescoes in the Houses of Parliament, he (Lord John Manners) had to observe that the hon. Member for Nottingham was mistaken in supposing that they were repaired by Mr. Cope under the authority of the Fine Arts Commission. The fact was that that Commission had been abolished some time since; but in consequence of some remarks made in that House a year or two ago, a Commission had been appointed to inquire into the claims of certain artists who had been engaged in executing the frescoes; and it was in conformity with the Report of that Commission that it was proposed to pay to Mr. Cope that additional sum of £600.

MR. CHILDERS said, his hon. Friend (Mr. Hunt) had not explained the first item of £212 for Royal Palaces. There was a distinct item in the original Vote for 1866-7 for the repairs of the Royal Palace of Windsor; and if it had been found the sum was not sufficient this year the difference might, with the consent of the Treasury, have been made up out of the other items of the same Vote. It is nowhere stated that the total Vote will be insufficient. While addressing the House, he wished to ask a question with regard to the enormous Vote of £50,000 proposed for the French Exhibition. The year before last a small Vote—£5,000, he believed—was taken for this purpose, of which only £800 was spent. Last year £12,000 was voted for the service of the present year, and the Treasury was informed at the time that the sum would be sufficient for the expenditure connected with the French Exhibition in 1866-7. The entire Vote for the former Exhibition was £50,000, and of this only £41,000 was spent; but the Secretary of the Treasury now proposed to spend up to the end of March next not less than £62,000, even before the Exhibition was opened. It might be that the requirements of the French Government had necessitated so large an expenditure; but in the absence of any explanation it appeared monstrous. He also wanted to know whether the Royal Commissioners, who had the management of everything relating to the English exhibitors, had anticipated this expenditure; and, if so, when they had brought it under the notice of Her Majesty's Government and of the Treasury? If they had not anticipated it, the House had a right to ask what precautions they took in their arrangements with the French authorities as to the sum we were to be liable for. He need hardly remark that a considerable additional sum would probably be required for the following year. He hoped that those Members of the Government who were upon the Commission would show that proper precautions had been taken against what he feared would end in enormous expenditure.

Mr. BERESFORD HOPE wished it to be understood that the great body of the Royal Commissioners had no control over the expenditure which had been incurred, a cut-and-dried schedule being merely submitted to them by the Executive when they met. No one was more astonished than himself at so enormous an outlay.

Mr. HUNT said, that when the recent change of Government took place Her Majesty's present Advisers were astonished to hear of the large sum of money that would be required for the French Exhibition. The Government directed their immediate attention to the matter, and made every effort to keep the expenses in check, but they were told that a great part of the money to be asked for was already incurred; that under arrangements made with the Commissioners contracts had been entered into for the execution of certain works, and that it was, consequently, impossible seriously to reduce the expenditure. With the view of giving some explanation of why so large a sum was required, he must state some figures on the authority of a paper issued by the Science and Art Department. The space occupied by the United Kingdom and the colonies in the Exhibition of 1855 was 183,000 square feet, and in 1867 it was 360,000. In 1855 the sum voted by Parliament was £50,000, of which only £40,000 was expended, or something like 4*s*. 6*d*. per square foot. Under precisely similar circumstances that would make the expenditure for the present Exhibition upwards of £80,000. In 1855 the expense of flooring, decorations, counters, blinds, and other fittings, and nearly the whole staff for cleaning, arranging, and watching, were paid by the French authorities. This year all these things, with the exception of the flooring, blinds, and Fine Art decorations, had to be provided by this country; besides that, additional expense had to be incurred for the erection of supplemental buildings in the park, for agricultural and horticultural exhibitions, for machinery, &c. In 1855, the War Department, the Admiralty, the Trinity House, the Post Office, the Treasury, and the Science and Art Department were but slightly, if at all represented; in 1867 they would all be fully represented. The total Estimate of the Paris Exhibition was £116,650, which included the whole of the money expended during the last three years. He believed that nearly the whole of the sum now asked for would be spent before the close of the financial year; and a part of it was already due. As he had explained, contracts had been entered into before the accession to office of the present Government, and virtually the matter connected with this expenditure had been beyond their control.

Mr. CHILDERS asked whether the late Government had authorized any portion of the expenditure?

Mr. HUNT did not intend to suggest that they had done so. The expenditure was no more chargeable to the present than to the late Administration. It was a matter for which hardly any responsibility rested upon any Government.

Mr. GLADSTONE put it to the hon. Gentleman whether, under these circumstances, it would not be desirable to lay before the House the Correspondence which had taken place before pressing the Vote.

By suggesting the adoption of such a course he did not wish to cast the slightest imputation upon the Treasury, or to repudiate any share which the late Government might have had in the transaction. He thought, judging from the feeling of the House, that they should be put in possession of documents to show how this charge of £62,000 had arisen, because it was a thing not to be tolerated that extraneous bodies should dispose of the public money. He was sure the hon. Member the Secretary for the Treasury would not misunderstand him when he asked that the Correspondence upon the subject should be laid upon the table.

MR. AYRTON said, this Vote appeared to him to be a great exhibition of extravagance which it was necessary for the House seriously to consider. He submitted that the mode in which the Vote had been presented was a departure from the proper plan of submitting Votes to the House. He thought it had been clearly understood that no Votes should be submitted upon expenditure for a particular object unless the entire expenditure for the object was submitted to the House, and then the Vote was to be taken upon account. This was a very serious matter. They found that this Exhibition Commission had grown up without any sanction of the House, which was pledged to spend a sum exceeding £100,000. If this had been done at Kensington, it was of some consequence to know that there was at Kensington a fund out of which this could be paid. The expenses of our own Great Exhibition of 1862 could be defrayed without coming to this House, out of the estates in the hands of the Commissioners for the Exhibition of 1851; and it was a curious circumstance that they should now be called upon to pay so much towards the Exhibition at Paris. He was of opinion that to a large extent the expense of exhibiting the productions of this country should be borne by those who were to derive the benefit from the Exhibition. He hoped the House would not allow the Vote to pass without giving it its serious attention, and he trusted, for the reasons that had been advanced, that the hon. Member the Secretary for the Treasury would withdraw the Vote till the Correspondence was produced. He moved that the Vote be postponed.

MR. CORRY assured the Committee that no one could be more surprised than the Lord President and he himself were when they first saw the amount of money that would be required for the British department of the Exhibition. At their first meeting at South Kensington Museum they were informed of the enormous cost which the carrying out of the requirements of the French Government would entail; but the question they had had to consider was whether they should do a very uncivil thing to France by withdrawing altogether from a participation in the Exhibition, or incur the necessary expenditure. The French Government had imposed charges on this and other countries which we did not ask foreign countries to pay on the occasion of our Great Exhibitions; but when they came to a comparison between the forthcoming Universal Exhibition and those which have preceded it—when they saw how much larger was the number of jurors who would be required, and how much greater the extent of space which this country had to fill, the amount did not appear so very large after all. Very heavy charges were thrown on us for a testing-house and other buildings in connection with war implements and working machinery. The engagements in connection with the French Exhibition had been entered into before the present Government came into office; but he and his Colleagues had cut down the expenses as much as possible. He had no objection to give the House every information in his power with respect to details.

COLONEL SYKES wished to know whether they were to understand that an allowance was to be given to the jurors?

MR. CORRY replied that of course an allowance was to be given to jurors, as had been the case on previous occasions. The Committee did not imagine that gentlemen in business would go over to Paris and spend a couple of months there, examining articles, and making awards, and living at their own expense.

COLONEL SYKES had served as a juror at a former Exhibition and had not received a penny for his services.

MR. BERESFORD HOPE wished to know whether the foreign jurors had been paid at the Exhibition of 1862, because he had served as an English juror on the occasion and had not been paid?

MR. CORRY said, he was not a Member of the Commission of 1862.

MR. CARDWELL said, the sole question before the Committee was whether they were going to vote the money now, or whether they were to wait until the papers were laid before them. His own opinion was the latter course should be followed, so that they might learn upon what items the money was to be expended, and who was responsible for its expenditure.

Mr. WATKIN said, that the question was whether the Committee would refuse to complete the work which had been commenced, and would intimate to the French that we would not carry out our promise to take part in their Exhibition. No blame for this expenditure rested upon the present Administration. The fault, if fault there was, was with the late Government, who appointed a Commission, the Members of which, not being business men, had, in their anxiety to promote the interests of England, demanded a great allowance of space, and great facilities for the exhibition of articles of English industry, without counting the cost. He should support the Vote.

Mr. OSBORNE observed, that this was not a question of incivility to the French Government, but one of the responsibility of a large expenditure which Parliament had never voted. The hon. Member for Stockport (Mr. Watkin) must not forget, in his desire to promote the Great Exhibition at Paris, that it was his duty, as a representative of the people, to look to the way in which the public money was voted. There was no charge made against the present Government in the matter. Every one knew that they had nothing to do with it. The Vice President of the Privy Council having cut the amount down as much as he could, now took the responsibility of it. He should like very much to know what it was when it first came under the observation of the right hon. Gentleman and his Colleagues. This was one of the too frequent instances in which small beginnings grew into large Votes without Parliament knowing anything about what was going on until it was too late to object. The hon. Member for Stockport suggested that the Member for the Potteries and the other Commissioners were not men of business. Now, he suspected that "Science and Art" had stepped in, and that this was another of the South Kensington manœuvres. It was all very well to say, "Don't let us insult the French Government;" but Members of Parliament were bound to look after public money. He hoped the Committee would insist on having the details laid before the House, in order that they might be able to fix the responsibility in this affair.

Mr. GOSCHEN said, the only point was on whom the responsibility was to be fixed. The House was entitled to the details making up the amount of £50,000 before they voted such a lump sum.

The CHANCELLOR of the EXCHEQUER: I should be very sorry that the question should be bandied about in this Committee as to the responsibility of any body for a proposition of this kind. The persons who are responsible are the Ministers. I myself do not shrink from that responsibility. Whether the late Government or some other persons have suggested the course which have led to these results is immaterial; but there can be no difficulty in deciding who are responsible. The Government would not have sanctioned such a Vote unless they had thought it desirable that it should be granted. When the credit and honour of the country are concerned, I trust it will never be a question as to who are the persons that should undertake responsibility in such a matter. The right hon. Gentleman the Member for the City of London (Mr. Goschen) complained that no details of the Vote are given, and with the view of getting rid of the objection I will give the details. They are as follows:—For internal fittings, £16,000; supplementary buildings in the Park, £23,065; ancient and modern art, £11,050; exhibitions of Government departments, £11,490; management, watching, clearing, £14,755; house expenses, £17,190; jurors, £12,000; rating, £8,250; Royal Commissioners, £2,750; total, £116,650. I do not want the Committee to consider, in any course they may take, whether what they are doing will be pleasing or displeasing to the French Government. We ought to perform our duty; and, no doubt, we can do so without doing anything displeasing to the French Government. But I want the Committee to take a large view of the circumstances—not a petty, personal, or prejudiced one. These great Exhibitions of universal interest are periodical. Expenses such as this have not to be often incurred. There is no doubt, therefore, that when it was determined that England should be represented in this Great Exhibition intended to be held at Paris, those responsible for the management did not consider that it would lead to an expenditure of such magnitude. There can be no doubt about that. But it is a great mistake to suppose that we find ourselves embarked in this expenditure because matters have been managed by persons who have been described as not men of business. On the contrary, those who had from the beginning the management of affairs — and as they are gentlemen not connected with me in politics I am speaking impartially on the subject—showed no deficiency of business-like attributes in all their arrangements and all their calculations; everything was planned and everything was foreseen, and many of these noblemen and gentlemen undertook their duty with the advantage of information based upon previous experience and experiments in those matters. The French Government, however, thought fit, after a due consideration of all the circumstances, to change the conditions which hitherto have been observed in all public Exhibitions of this kind. I do not for a moment think of questioning the propriety of their conduct, but that is really the cause of the increased expenditure. And what has happened? Those responsible for the Government of the country, whether those were our predecessors or ourselves, had to consider this simple question. The French Government having, in the exercise of their discretion, changed all the conditions hitherto observed in these Exhibitions, and by that change entailed on this country a considerable expenditure, shall we refrain from giving to the industry of our country that opportunity of showing its ingenuity and its varied powers which it expects at the hands of the Government? That is really the question. I dare say there are other States and countries that may also have been — I will not say annoyed, but may have been astonished at the change that the French Government has thought fit to make. But let us understand this. Every other country, however dissatisfied, or at least disappointed, by the course which the French Government has taken, has agreed to the altered conditions. Their industry will be represented, their ingenuity and acquaintance with the arts will be known to all the world, and the satisfaction and reputation which arise from such representation will be enjoyed by those respective States and countries. Well, would you be content in such a position that we should withdraw from the Exhibition? You know you would not. If we came down and told you, not that £50,000, nor £150,000, but that £200,000 were essential to the proper representation of this country, would you be satisfied at our withdrawal? The right hon. Gentleman says he must move for papers. I will candidly avow that there are no papers of the slightest importance. There is not a single line upon the subject, as I have just learnt by inquiry from my noble Friend the Secretary of State for Foreign Affairs. No doubt there has been a great deal of bustling second-rate communication between individuals, but nothing that would throw any light upon or affect the main question. That question is simply what I have put before you. There has been no want of intelligence, no want of experience, no want of business-like habits, on the part of those—some of them filling the highest position in society—who undertook these offices; they did their duty thoroughly and perfectly and in a workmanlike manner. But the French Government changed their conditions, and the change has entailed great expense on every exhibiting country. No one is more annoyed than the Chancellor of the Exchequer at any increased expenditure; but, because of that expenditure, would you wish those who sit on these Benches to deprive England of the opportunity of exhibiting the products of her inventive genius by the side of other countries? You know you would not. You would think that in doing so we had taken up a mean position; a position degrading to the honour and to the highest interests of the country. I therefore trust the Committee will take a large view of the circumstances of this case—which I admit to be unsatisfactory—and will put on them the construction which they deserve, will assent to this proposition, will sanction this Vote of £50,000, and will feel that, in taking that course, they are acting in the manner most conducive to the advantage and the honour of the country.

Mr. GLADSTONE: The right hon. Gentleman towards the close of his remarks admitted that the position of this affair is not satisfactory, and he also told us that he had not in his possession any papers which could throw light on the question. Under these circumstances, I confess I do not see that there would be any object in pressing for a postponement of the Vote; especially as the unsatisfactory circumstances which he confesses are to a certain extent covered by the admissions which he freely made. It is impossible, however, for me to pass over in silence the speech of the hon. Member for Stockport (Mr. Watkin) He, forsooth, deals very easily with this matter, and shows immense anxiety to promote this French Exhibition. But that is not the question at all. Nobody shows any want of anxiety to promote the French Exhibition. I should hope we all come up to the standard of my hon. Friend in that respect. The question is whether engagements of this kind, involving matters strictly in the jurisdiction of this House, and of no one else, ought to be made apart from the responsibility of the Executive Government. My hon. Friend thought the late Government were responsible for this expenditure. My answer is, if the late Government be responsible, let any act of theirs be brought forward and put before the House; but when I ask my hon. Friend to do this he cries out against delay. My own mind is a perfect blank as to what has occurred prior to my leaving office, or what state of maturity the matter had attained at that period; but, substantially, this great charge has grown out of the change in the proceedings of the late Government; and after the frank statement made by the right hon. Gentleman as to the position of the House with regard to this Vote, I, for one, accede to the proposal of the Government. But before the regular Estimates of the year are brought forward I hope the necessary information will be afforded, so that when the Committee is asked for the large residue, as I am afraid it will be, of the Vote, they may see distinctly, and in a written form, what is to be the precise position of the House with respect to it.

Mr. Alderman LUSK wished the House to revert to the question really before it—namely, the jumbling together in one lot a mass of heterogeneous matters. He trusted that such a jumble would not be presented to the House again.

Mr. OSBORNE hoped his hon. Friend would not press his Motion to a division after the statement of the Chancellor of the Exchequer. At the same time, he trusted some assurance would be given that the expenditure under this head would not exceed the limit of £116,000.

Mr. AYRTON then withdrew his Amendment.

Mr. WATKIN observed, that he had not said the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) was responsible for expending the money, but for appointing the Commission which caused the expenditure. Technically, the statement of the Chancellor of the Exchequer was accurate; but the French Government changed the original conditions because of the unexpected and enormous demands for space by the foreign Commissioners, among others by our own representatives. The original cause of the heavy expenditure, he repeated, was the appointment by the late Government of Commissioners who were not men of business.

Vote *agreed to.*

(3.) £101,300, Anglo-Chinese Flotilla.

Colonel SYKES asked for some explanation of this Vote.

Mr. HUNT said, that in the year 1865 an arrangement was made with the Chinese Government that if they would not sell the Anglo-Chinese flotilla they should be compensated for any loss they might sustain. It was thought that if they were obtained by either of the belligerent parties in America Imperial interests might be prejudiced. The value put upon the flotilla when it left China for England was £152,500, and the value for which it had been sold was £51,350. The ships were all either sold or contracted to be sold but one, and if that were sold the money would be paid to the Exchequer.

Colonel SYKES denounced the sending out of these vessels for the purpose of service in China under the command of an English naval officer. Captain Sherard Osborn was put at the head of the expedition; but, unfortunately, a misunderstanding took place when he arrived in China. He found that he was not to be in the service of the Emperor of China, but in the service of the Governor of Shanghai. He very properly declined to accept the pay of a Governor of a province, and threw up his commission. The people of this country were now saddled with this Vote of £101,300, as the expense occasioned by our Government intermeddling between the Emperor of China and the Taepings. The head and front of the whole matter had been Mr. Horatio Nelson May, and now that gentleman, in a letter recently published, acknowledged the whole action of the British Government in interfering between the Chinese dynasty and its subjects the Taepings to have been an error. The result was that the British taxpayers had to pay £101,000 on account of these gunboats. He felt bound to protest against it, and moved the omission of the Vote.

MR. BAXTER said, it was too late to object to the Vote, but he earnestly hoped it would be the last of the kind that would ever appear in the Estimates. We had virtually interfered with a geat civil war in China, and by so doing had committed a great blunder. The British taxpayers were now called upon to pay in respect of a fleet with which they had no concern. He trusted the noble Lord now at the head of the Foreign Office would take care that the policy of his predecessors in this respect would not again be adopted.

Vote *agreed to.*

Resolutions to be reported on *Wednesday;* Committee to sit again upon *Wednesday.*

TRADES UNIONS BILL—[BILL 18.]

(*Mr. Secretary Walpole, Lord John Manners, Sir Stafford Northcote.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Walpole.*)

MR. POWELL said, he could not help regarding the introduction of that measure, and the circumstances connected with it, as a herald and an omen of better times with respect to the relations between the work-people and their employers. The desire which existed among all classes, both of workmen and employers, for a full and searching investigation, might, he thought, be taken to imply a willingness on their part to submit to any consequence which might be fairly and reasonably deduced from that investigation. The existence of these combinations among working people, the great power they possessed, and the outrages supposed, whether rightly or wrongly, to have connection with them, rendered it highly important that a Commission should be issued for the purpose of procuring a searching inquiry into the nature of these associations. He did not wish to refer to the special cases that had led to this investigation. To the Royal Commissioners, who had been well and wisely selected, the details of the inquiry ought to be referred without prejudice. Any discussion on the subject that night must be very imperfect, and might, perhaps, tend to excite instead of to assuage irritation among the different classes affected. He did not desire the proposed investigation into trade outrages at Sheffield or elsewhere to range over a very long period of time; but he thought that in lieu of restricting its scope to five years, it would be better to allow it to extend over the last ten years, or to adopt such other limit as the Secretary of State might sanction. If that alteration were made in the second clause of the Bill, satisfaction would be given to those persons in various towns who took the deepest interest in the condition of the work-people and in the operation of trades unions.

MR. WATKIN said, he thought that if the inquiry into alleged trade outrages were to be rigidly confined to what had happened no longer ago than five years back, it would, in many cases, be practically useless, because such a limitation would act as a bar to complete investigation. Again, the Bill proposed to indemnify from criminal proceedings witnesses making full disclosures as to these outrages, provided they were not themselves the actual perpetrators of them. Thus the instigators of these cowardly deeds would be screened from prosecution, while those who only acted as their instruments would be deterred from giving evidence before the Commissioners. He trusted that the right hon. Gentleman (Mr. Walpole) would gravely consider whether the measure might not be amended on these two points before it went into Committee. Some of the constituents of the hon. and learned Member for Sheffield (Mr. Roebuck) felt very strongly on these heads; and unless some alteration were made respecting them, the Bill would be practically useless. It was also most important that the constitution of the Commission should be such as not only to give satisfaction to the employed, but likewise to inspire confidence in the minds of the employers. Strong pressure appeared to have been put upon the Government in order to get what were called "the working man's friends" put upon the Commission. Now, his own experience of "the working man's friend" was, he confessed, not of a very favourable character. Generally such a person had not himself been a working man nor an employer of labour for a profit; and the sympathy which he showed towards the working classes was remarkably cheap. There was not a strong flavour merely, but a strong infusion of "the working man's friend" element in the Commission, which Commission was to investigate one of the most important questions connected with the future prosperity of this country. Then as to the legal element. He did not quarrel with the appointment of ex-Chief Justice Erle as Chairman of the Commission; because he was sure that if they searched all England through they would not find a fitter man, and perhaps his presidentship would neutralize the inefficiency of other parts of the Commission. But there were not fewer than five or six gentlemen connected with the law among the Commissioners, and two out of the six held offices under the Government. Now, he had always a wholesome fear of the legal profession; but when he found that two out of the eleven Commissioners not only belonged to that profession, but were officers of the Government and in its pay, he felt, as an employer of labour, considerable qualms as to what would be the result upon the efficiency of the Commission. Out of the entire eleven Commissioners they had only one who was, properly speaking, an employer of labour. In one sense the Chairman of the Great Western Railway, who was to sit on the Commission, might be said to be an employer of labour, but they knew he had never employed labour at a profit. He did not mean that that hon. Gentleman had never profitably employed labour; but that he did not come within the ordinary category of those who employed labourers at a profit. The only person of that description on the Commission was Mr. William Matthews, of Birmingham—certainly a gentleman of the highest capacity and influence—but a Commission on such a subject, with only one employer of labour upon it, could not be said to be fairly or efficiently constituted. The object he had in view was that the Commission should be efficient; but he believed he was speaking the opinions of the great employers in the cotton, woollen, silk, iron, and pottery trades when he stated that a Commission so composed would not give satisfaction.

Mr. GOSCHEN said, that he dissented from the view expressed by the hon. Member for Stockport (Mr. Watkin), that these investigations ought to be carried back not only for five but for ten years. It would be very interesting, no doubt, if they could obtain a history of strikes by such means during the last ten years; but as that was not fairly within the scope of the inquiry to be conducted under the present Bill, he thought the Government acted rightly in fixing upon five years as the period to which they should restrict their inquiries, because it would be a strange thing to compel men to give evidence on oath of events that had happened ten years ago. He trusted that the Government would not accede to the suggestion that the principals who had been guilty of outrages, should, by giving evidence before the Commission, be able to screen themselves from the just punishment of their crimes. As to the composition of the Commission, the hon. Member (Mr. Watkin) had said there were too many working men's friends upon it. He himself would have preferred seeing a working man instead of a working man's friend upon it. But here was one of the consequences of the confusion between the representative and the judicial functions of the Commission. If the Commission were only judicial, then he would have upon it men of marked impartiality, who had as little as possible to do with the question at issue, and who would be quite free from all but that necessary bias so difficult to be overcome by gentlemen who, from mere education and the circumstances which had always surrounded them, could not do otherwise than have more sympathy with the employer than the employed. Of course, he did not mean to say that there would be any wilful misjudging; but it was very difficult for men of that class to throw themselves into the position and to realize the views of working men. If, however, the Commission were to be representative, and information from the working man's point of view were wanted, then the presence of a working man upon the Commission would be very desirable. He desired especially to point out that the two questions to be inquired into by the Commission widely differed in their nature, and he hoped they would be kept distinct. The one was a question between workmen and workmen, and the other between workmen and employers; the one a question of outrage, the other a question of strikes and lock-outs. Police laws would, perhaps, settle the question of intimidation between workman and workman, and the more stringent the laws could be made on this point, the better for the community and for the workmen themselves. But police laws could not be made to settle differences between employers and employed, and he questioned whether courts of arbitration would succeed either. He hoped the Commission might throw light on this part of the subject; but he must be allowed to express a doubt whether any legislation could put a stop to the differences which periodically arise between those who buy and those who sell labour. It would certainly be useful to inquire how far combinations either of masters or workmen, respecting which they had heard much of late, affect the industry and prosperity of the country. They had been told that our commerce was jeopardized, and they had been recommended to look abroad to those foreign competitors, who they had been assured would rob England of, at least, the supremacy in trade which she has so long enjoyed. They had been especially referred to Belgium. But what did they see there? They found that the differences between employers and employed culminated in riots, which were suppressed by the military. This, they had been assured, was what we might expect trades unions would bring us to; but that was a wrong view of the matter. It appeared to him that through which Belgium was now going, England had passed through the stage. Whatever the failing of our workmen, and however defective their views respecting combinations, they had certainly passed the stage in which men openly set the laws at defiance and seek to gain their objects by force. France had been referred to as an example. The press of this country had generally given them intelligence of every strike which had taken place in England, great or small. But he had seen very little notice of a strike which so lately took place in France. In the chief coal district of France at the beginning of November last year the miners demanded three or four francs a week more wages, and stopped work on being refused. In consequence, the military were called out, and the soldiers prevented the miners from passing from place to place to induce others to join the strike. Then the Prefect issued a sentimental proclamation, calling the miners his children and telling them they were brave hearts and honest workmen, and worthy sons of France. Eventually, moved either by the display of military force, or by the eloquence of the Prefect, the miners returned to their work, but not without receiving the increased wages they had demanded. Such, then, was the course of strikes in those countries which were going to carry away England's commerce and undermine her prosperity! He was quite ready to admit that this was a dangerous and delicate subject, and it was one on which men were particularly liable to be misconstrued and misunderstood. But he would nevertheless express his belief that the evil influence of trades unions upon the prosperity of our trade had been greatly exaggerated by the press and on the platform. And if that influence had been thus exaggerated in order to alarm the middle classes, as possessors of political power, with regard to the views and objects of the class below, then, in his opinion, that heavy responsibility rested upon those who had been guilty of such exaggeration, of setting class against class. It was, in his opinion, no less a political offence to set the middle classes against the lower by the argument of alarm than to set the lower against the governing classes by the argument of abuse. He had no sympathy with trades unions himself; and, as a political economist, representing a mercantile community, he was bound to watch them with anxiety—nay, even with distrust. He did not, however, think it on that account fair to accept the statement that the commerce of the country was endangered by those organizations without the most thorough investigation. He was therefore glad that inquiry into the subject was to be instituted. The commerce of the country had a deep interest in this question; but they ought not to assert that the prosperity of their trade was in danger because there had been more strikes than usual in the last six months. He trusted the Commission would be able to remove the obstacles to agreement between masters and men. But he thought that the events they now witnessed would have a more powerful effect on workmen than the Report of any Royal Commission. When they found that doors ready made, windows, window-frames, and even locomotives, were imported from abroad—they would, he thought, see the foolishness of their persisting in their present course. If it were possible by legislative action to improve the relations between employers and employed, by all means let it be done. For himself, he very much doubted whether much could be accomplished by such agency. The best way to effect a change for the better was, he thought, to bring public opinion to bear on the question; and the more the discussion of these burning questions was removed from the committee-rooms of trades unions to a wider area and a more public assembly, the more likely was it to lead to a satisfactory solution.

MR. ROEBUCK: I think, Sir, the position I occupy in rising to address the House on this subject is a still more delicate one than that of the right hon. Gentleman who has just spoken, inasmuch as my name is on the list of the Commission. It so happens that I have been very much mixed up with this matter. I was in fact at its very inception; and, if the House will permit, I will state one or two circumstances which may tend to clear away much of the ambiguity by which it is surrounded, and to remove some difficulties from the mind of the right hon. Gentleman, which now, it seems to me, is not a little confused and obfuscated. In the course of last year a dispute arose between a particular workman in Sheffield and a body of workmen. Very soon after that man's house was blown up by gunpowder. One side of it was blown out, himself and his family escaping destruction by a miracle. This outrage excited great indignation in Sheffield. A committee was appointed for the purpose of discovering the perpetrators of it. Large rewards were offered with the same object, but without avail. The committee afterwards put themselves in communication with the right hon. Gentleman the Secretary for the Home Department (Mr. Walpole), and asked him to permit them to wait upon him and lay their views on the matter before him. He assented to their request, and they asked myself and my hon. Colleague to introduce them. We did introduce them, and I thought the subject so delicate that I wrote down what I proposed to say to the right hon. Gentleman on paper. After reading it I handed to him the paper, in which it was clearly and positively stated that it was the feeling of the manufacturers of Sheffield that the outrage in question, as well as similar outrages in years past, had been suggested, suborned, and paid for by the trades unions. That was the distinct proposition laid down by the manufacturers. They told the right hon. Gentleman that they had offered large rewards to discover the perpetrators of the crime; that they had come up to London to ask him to issue a Commission for the purpose of making inquiry into the case; that the Commission must, to be effectual, be furnished with Parliamentary powers, and pointing out in what they thought those powers ought to consist. Very soon after, an account of this interview having been published, the working men of Sheffield addressed the right hon. Gentleman, asking permission to wait upon him, and—taking a course which, I must say, was I think complimentary to me as showing their belief in my impartiality—asked me to introduce them. I was accompanied also by my hon. Colleague on that occasion, and I wrote down as before what I intended to say. What was the statement of these men? They alleged that they had been falsely accused, and, in almost the very words used by the manufacturers, they asked for a full and searching inquiry into their whole conduct. So entirely innocent did they feel, they said, that they shrank from no investigation. They added, however, that they thought twenty years too long a period to go back; that many persons had within that time died; and that the inquiry would, as a consequence, be attended with considerable difficulty. I accordingly limited the time to ten years in the paper which the right hon. Gentleman has now in his possession. Shortly after this interview the manufacturers of Sheffield wrote to me, begging me to re-consider the subject of time, and stating that, in their opinion, twenty years was by no means too long a time. I did re-consider the matter. I again waited on the right hon. Gentleman, and told him the representations which the manufacturers had made to me, adding that I still adhered to the ten years. Thereupon, the right hon. Gentleman said he thought he could suggest a mode which would suit all parties. He believed, as I believed, that a Commission appointed by him would gain the confidence of both the working men and their employers, and that in the hands of its members might be safely left the question as to whether the inquiry should be enlarged. The right hon. Gentleman, in substance, said:—"We can give the Commission elastic powers, so that if they should see fit to carry the investigation back beyond ten years, they will be at liberty to do so on their own responsibility." So the matter stood; but we have this evening been treated to a fantastic dissertation as to the difference between an inquiry into the perpetration of an outrage and one into the principles of political economy. The whole thing, however, is as clear as sunlight as put by the manufacturers of Sheffield. They say that the inquiry should be instituted to discover the truth as to what has been the conduct of the men who are members of trades unions, and also as to how those societies have affected the trade of Sheffield. Talk as you like about the doctrines of political economy—on which I suppose my hon. Friend the Member for Westminster (Mr. Stuart Mill) is the best authority to whom you could have recourse—but the real simple point to be inquired into is, have the offences alleged been committed, as suggested? The masters say they have; the workmen say they have not; and the Commission is appointed to decide between them. I am told there ought to be a working man upon it; but let me suppose that a butcher is accused of murder, do you think it necessary that there should be a butcher on the jury by whom he is tried? I would like to have had a Commission composed of three persons, having at the head of it the distinguished, and I might say revered, Judge already named, assisted by two grave, candid, and intelligent assessors. That would have been enough to have inquired into the political economy of the question. The thing is quite clear if we do not mystify it, and bring fantastic notions to bear upon it. It is no use attempting to frighten the working man, for he says he is not to be frightened, that he is innocent, and that he will prove his innocence if you afford him the opportunity of doing so. The Commission will give him leave, and all we ask is to have power to manage matters so as to bring out the truth. But how can we bring out that truth? All these outrages, say the masters, have been perpetrated by the same hand, and though that hand has been bought and instigated by persons behind the scenes, yet all these acts have been the deed of a single man, and the masters think that by giving impunity to that person we shall be able to get at the truth. I go one step further, and say if you give impunity, not only to the man who committed the deed, but also to the man who suggested it—for we do not aim at punishment—we are still more likely to learn the truth. We shall then arrive at what we want to learn. We do not want punishment or penal laws; what we want to learn is whether the trades unions of this country are so conducted that they tend to the damage of our trade and commerce. If you think that the men on the Commission are not honourable men, or if you think that they are unfit for the duty, by all means change them, for there are men in England quite sufficient and equal to the inquiry. Make a careful choice, but give the Commission power to make a full inquiry. This is a very serious matter, and one that ought not to be dealt with lightly. There are great interests concerned, and it becomes us to inquire into the matter impartially. As far as I am concerned, I would rather not be on the Commission; but, being on it, I will bring an impartial mind to bear upon the subject. I care neither for one side or the other. I am, however, firmly convinced that we shall not be able to make a full inquiry unless we are able to extend pardon to all who have been concerned.

MR. SAMUELSON said, that the hon. Member for Sheffield had asked whether, supposing a butcher was accused of murder, a butcher should be on the jury? He would put another question. Supposing there was an inquiry into the conduct of butchers and graziers, affecting the public, would it be desirable that the Commission of Inquiry should consist of graziers and consumers, without a single butcher? That was precisely the situation in which the workmen were placed with regard to the Commission, through what he must be permitted to call the precipitancy of the Home Secretary. He thought that if the right hon. Gentleman had taken the working men into his counsels he would hardly have made the omission. If the right hon. Gentleman were determined to inquire into the outrages at Sheffield, it would be the opinion not of the workmen of Sheffield only, but of the workmen of London and throughout the country, that no Commission could possibly give satisfaction to both the parties unless both were fully represented. Yet they had on this Commission two employers of labour, one of them at least an employer for profit. More than that, however respected those gentlemen might be as individuals, they were connected exactly with those branches of trade, the iron and coal trade and the engineering, that had been most disturbed by strikes. Yet there was not a single workman. He was aware that Mr. Harrison had been approved of by a deputation of working men that had waited upon the Home Secretary, headed by a gentleman with whom the right hon. Gentleman had had many interviews of late, Mr. George Potter; but he could not learn that the representatives of the trades unions, as a body, had ever been consulted as to the composition of the Commission. It was, perhaps, too late to alter that now; but he hoped the right hon. Gentleman would devise some plan by which working men might be more directly represented or might be present at the inquiry. With regard to the limitation of the Commission, he approved of its being confined to five years. If they wanted to go farther, and to have a history of trades unions, they ought also to inquire into the prior events which caused trades unions. It might suit the honour of the Sheffield workmen to extend this inquiry, but what good would it do to the country at large? He feared that if it went farther back the old grievances of the workmen, including the truck system, might crop up. To put down that system it had been necessary to have recourse to legislative measures of the most stringent character. Indeed, it would be found that in many, if not in all of the trades, where a feeling of hostility towards the masters prevailed at present, it might be traced to acts of oppression on the part of the masters at a former period. As to foreign legislation, he did not think they had much knowledge to get from abroad. The French workmen had not had the right to combine for increase of wages for more than two years, and their right of meeting was only one year old. The Tribunals of Conciliation —*Conseils des Prud'hommes* as they were called—did not meet to settle strikes or combinations at all, but only to decide on questions arising out of agreements previously made between employers and employed. If any Council to arbitrate between the workmen and the masters were to be set up in this country, it had yet to be invented.

Mr. WALPOLE: I think, Sir, I may divide the debate of this evening into two branches. One is a branch of the subject not strictly before us—namely, the constitution of the Commission, the position and terms upon which the Commission is to act, and the extent to which the inquiry is to go. The other, which is strictly before us, confines itself to the provisions of the Bill, in reference to which several suggestions have been made. Upon each of those suggestions I will offer a few remarks. Following the right hon. Gentleman opposite (Mr. Goschen) into that portion of his speech with regard to the composition of this Commission, I cannot but observe that when I see the manner in which different Gentlemen have spoken of this Commission, and that their opinions exactly balance each other, it seems to me that the impartiality which I wished to attain in this Commission has been fully accomplished. The hon. Member for Stockport (Mr. Watkin) complains that on this Commission the masters will have no power. The hon. Member who has just sat down takes an entirely different view of the question, and complains that while there are masters on the Commission, the workmen are excluded. Now, it ought to be borne in mind that if any workmen were to be appointed on the Commission then you must have had a corresponding number of masters. The country would not have been satisfied unless you did that. But I believed it was better to do with regard to this Commission what is usually and wisely done in all Commissions of a judicial character—namely, that in such a case none of the parties who are directly concerned in the issue should be put upon the Commission; but that those men should be placed there who, without being directly concerned, take a deep interest in the subject, and are able to represent the views of the different parties. That, I believe, I have completely accomplished. It has been objected that there are two masters on the Commission—one of the gentlemen referred to is my hon. Friend the Member for Cricklade (Sir Daniel Gooch); but I am quite sure there is no man on the Commission or in this House who would more truly represent the workmen. The other is Mr. William Matthews; and I am equally sure there is no one who will inspire either master or workman with more satisfaction and confidence. Whom have we appointed on behalf of the workmen? Let it not be forgotten that I earnestly wished the ablest writer and philosopher on these subjects to allow his name to be placed on the Commission. I entreated the hon. Member for Westminster (Mr. Stuart Mill) to act, that he might represent the political economy of the question, as well as the interests of the working men, and give both masters and workmen the benefit of his philosophy and experience. More than that, let it not be forgotten that we did appoint two persons who have given great attention to this subject—first the hon. Member for Lambeth (Mr. Thomas Hughes), who is known to take the deepest interest in all that concerns the elevation of the working classes; and next a barrister, Mr. Frederic Harrison, who has written more ably on this subject, in favour of trades unions, than any other author I know of. If any Member in the House has read Mr. Harrison's works, he will know that I do not in the least exaggerate when I affirm, that there is no man who more fully, more completely, or more ably represents the views of the working classes than Mr. Harrison. With regard to the objection that employers and workmen are not properly represented on the Commission, I can only say that if I were engaged in any business or profession which was made the subject of inquiry, I would infinitely prefer that the persons selected to adjudicate on the matter should not be interested as parties, though of course I should wish them to be competent to judge of the whole case. With regard to the other members of the Commission, the hon. Member for Stockport complains that there are on it six lawyers and two officials. The hon. Member is wrong in both instances. There may be six members on the Commission who have been lawyers, but there are not two who are now in practice. So with regard to the officials he is also wrong. I presume the hon. Member refers to Mr. Herman Merivale and Mr. Booth. It is true the one gentleman is in the Colonial Office; the other was connected with the Board of Trade, and he was also a lawyer, but he has retired from both, and I venture to say you will find no men better fitted to manage this inquiry than they are. If you analyse this Commission, I believe you will find that it is composed of honourable and impartial men—that the views of the employers and the employed are fully represented; and I trust that, presided over as it will be by that able man (Sir William Erle) who is at its head, and in whose fairness every one has the most perfect confidence, I have no fear but that it will be conducted in the fairest and most impartial manner. With regard to one or two other points. The right hon. Member for the City (Mr. Goschen) on a former occasion criticized the terms of the Commission as if the whole affair was made to hang on the outrages at Sheffield. I felt the justice of that criticism; and I took advantage of the appointment of Mr. Harrison to cancel the first Commission, which had been signed and countersigned, and could not therefore be altered; and in the new Commission I have adopted words which I hope will meet the right hon. Gentleman's views. With regard to the limitation of the period of examination for five years, I may state that it was first intended to extend the inquiry to the last twenty years, and we afterwards limited it to ten. But, after all, our object is not so much to inquire for the purpose of detecting outrages, as to inquire how far those outrages are connected with trades unions. For this purpose I doubt whether it will be necessary to go more than five years back, or at any rate for more than ten years back. The hon. and learned Member for Sheffield (Mr. Roebuck) thinks we ought to have gone further. That is a point rather for the consideration of the Committee; and if the Committee should be of opinion that five years is not a sufficient period in which to trace out the connection, supposing it to exist, then power may be taken to go back for five years more. Another point was made by the hon. and learned Member for Sheffield, who complained that indemnity was not granted even to the actual perpetrators of these outrages. I confess that if these outrages had not been connected with the worst crime known to law—to that of murder—it might have been reasonable to extend the indemnity even to the actual perpetrators of the outrages. But I entertain grave doubts whether we ought to give a Parliamentary indemnity to persons who on inquiry may be found guilty of an attempt to murder. This, however, is a grave question, which ought not to be discussed on the second reading of the Bill; but it will be for the House to consider the subject fully and deliberately in Committee. I will only express my hope that I may draw from the observations made in the House—which I have heard with great satisfaction—an augury that much good will result from this inquiry, and that it will lead to a better state of feeling between masters and workmen. If that should be the result, I can only say there are few measures I have had the honour to submit to the House that will afford me in the retrospect more satisfaction than that Bill which is now, I trust, about to be read for a second time.

MR. HADFIELD said, he hoped the right hon. Gentleman would allow a little time to elapse before the Bill went into Committee. It had only been recently introduced, and it had taken some of the leading men of Sheffield by surprise. His constituents were of opinion that a longer period than five years was necessary in order to get at the facts; and also that it was absolutely necessary that the Commission should have the power of indemnifying principals who had been engaged in unlawful acts. When it was recollected that a reward of £1,000, supplemented by a reward of £100 by the Government, had not had the effect of detecting the persons who were engaged in the recent transactions at Sheffield, it showed how well the secret was kept, and that it would be impossible to arrive at the truth without some such power as he suggested was given to the Commissioners. He had been informed that evidence of a surprising character would be given if it were done. The inquiry was not for the purpose of convicting the perpetrators of heinous offences, but to ascertain what was the effect of trades unions on the commission of crime; and therefore it was that he pressed, at the request of his constituents, the latter point on the consideration of the right hon. Gentleman. He concurred with the hon. Gentleman the Member for Oldham (Mr. Samuelson), who was one of the largest employers of labour in Lancashire, that it would have given greater confidence if a workman had been appointed on the Commission. It was a hopeful sign of the times that the masters and men had joined in a petition to the Government for the appointment of this Commission.

Mr. OSBORNE said, he very much regretted that the right hon. Gentleman had in his Bill mixed up two distinct questions —namely, the outrages that had been committed at Sheffield, and an inquiry into the operation of trades unions in other places, because he was inclined to think it would prejudice the Report that might be made to the House. He acknowledged the excellent disposition with which the right hon. Gentleman had met the question, and he deserved great credit for the open manner in which he had constituted the Commission. At the same time, he thought it would have been more desirable if the right hon. Gentleman had put a working man on the Commission; and he could not understand why a working man and a master had not been named on it. He had seen the advantage of this in the town he had the honour to represent. An hon. Gentleman sitting near him had said that no attempt had been made in England to constitute boards of conciliation and arbitration; but in Nottingham there had been a most successful instance of it. In Nottingham, which was the centre of the hosiery and glove trade, boards of conciliation and arbitration had worked most successfully. Up to 1860 strikes were very frequent in that district, and of the most dangerous description. It would be recollected that Luddism originated there, in striking against the introduction of improved machinery. There were a few strikes in 1860, and in the autumn of that year the masters and men met and formed boards of conciliation and arbitration, consisting at first of nine masters and nine men, but they were now composed of seven masters and seven men, and from 1860 down to the present time, although great distress in the trade had existed, there had not been a single strike or lock-out. The men elected the president, the masters the vice-president. The conciliation shown by the masters had been appreciated by the men, and the rate of wages was amicably discussed and settled. The truck system and the payment of wages on Saturday night—which caused great inconvenience through the markets being closed—had been abolished through their agency. That beneficial change was owing to the exertions of a gentleman who was at the head of the Nottingham trade. He pressed on the Government the propriety of the examination of the president and vice-president of these boards by the Royal Commissioners. He had been informed that most of the evils that had occurred to the trade and commerce of Nottingham were owing not so much to the effects of trades unions as to the ignorance that prevailed amongst the working classes, and the necessity there was of promoting some great system of national education. He had been told by a large manufacturer at Nottingham, who had also a large manufactory in Saxony, that he felt greater apprehension from the want of education than from the effect of trades unions. That gentleman employed 750 hands in Saxony, and although they worked for lower wages than his work-people obtained in this country, he felt humbled in being obliged to admit that their knowledge on all questions was superior to that of his English workmen. That gentleman also said that until they promoted education and dissipated ignorance there was greater danger to apprehend from the latter than from trades unions to the trade and commerce of the country. Much as it was the fashion to flatter the masters, and to run down trades unions, in consequence of the outrages that had been committed of late in one district, there was much to be said for them. If the working classes were met in a spirit of conciliation they, like other men, would not be insensible to it. He regretted that the two questions had been mixed up; but even as it was, he thought nothing but good could result from the inquiry.

Lord ELCHO said, he thought his right hon. Friend had performed a great public good by issuing this Commission, and he was able to state from personal observation that the working men were in favour of this inquiry. At the large meeting of workmen recently held in Scotland, he put it to them whether, in the event of an inquiry taking place, and it was shown that trades unions acted injuriously, they would abandon them so far as strikes were concerned, and accept the medium of courts of conciliation, and they replied they would. That, at any rate, showed good feeling on the part of the men. Only to-day he had received a letter expressing a hope, on behalf of 90,000 or 100,000 men, that this Bill might pass through Parliament as rapidly as possible. There was one point to which he wished to call the attention of his right hon. Friend. It did not affect the inquiry generally so much as the labour of the Commission. Having the honour to be a member of the Commission, along with his hon. and learned Friend the Member for Sheffield (Mr. Roebuck), he must refer to the second clause, the phraseology of which led to the conclusion that the inquiry could only take place at Sheffield. The Commission would be bound, unless they had the special permission of the Home Secretary, to sit permanently at Sheffield. He doubted whether even his hon. and learned Friend the Member for Sheffield would like that, and certainly the other members of the Commission were under the impression that the inquiry might be conducted in London.

MR. WALPOLE said, his attention had been called to this point. The second clause referred not to the general inquiry, but to the outrage at Sheffield, which would have to be inquired into on the spot.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday.*

ADMIRALTY JURISDICTION.

LEAVE. FIRST READING.

SIR STAFFORD NORTHCOTE moved for leave to bring in a Bill for extending and regulating the jurisdiction of the High Court of Admiralty, and for conferring Admiralty jurisdiction on the County Courts. He said, he thought it would be better to postpone any discussion upon its nature and principle until the House had had an opportunity of examining it. He might, however, state that for some years there had been a great desire on the part of the various mercantile communities, more particularly at Liverpool, that local tribunals should be established, before which questions relating to shipping might be easily and speedily decided. Two years ago the hon. and learned Member for Tiverton (Mr. Denman) with regard to England, and last year the right hon. Member for Limerick (Mr. Monsell) with regard to Ireland, had endeavoured to obtain the sanction of Parliament to the establishment of local tribunals of this nature, and both propositions were supported by memorials and deputations to Government from the various mercantile communities of the country. They were not, however, proceeded with. Government had now decided to endeavour to meet these general wishes by bringing in a Bill by which it was proposed to establish courts of this description. In order that the proposed courts should be enabled to deal with questions of all kinds connected with shipping, it was desirable that the jurisdiction of the Court of Admiralty should be extended. The Bill he proposed to introduce extended the jurisdiction of the Court of Admiralty to the necessary extent, and gave power to the County Courts, or to such County Courts as Her Majesty by Order in Council should name, to take cognizance of all causes relating to shipping where the amount involved did not exceed £500, or with the consent of parties to any amount, an appeal lying to the Court of Admiralty. It was thought better to give this jurisdiction to County Courts than to create new tribunals.

MR. GOSCHEN said, he could assure the House that the mercantile community would hear with the greatest satisfaction of the introduction of the Bill.

Motion *agreed to.*

Bill for extending and regulating the Jurisdiction of the High Court of Admiralty, and for conferring Admiralty Jurisdiction on the County Courts, *ordered* to be brought in by Sir STAFFORD NORTHCOTE, Mr. ATTORNEY GENERAL, and Mr. CAVE.

Bill *presented*, and read the first time. [Bill 28.]

TENANTS IMPROVEMENTS (IRELAND) BILL.

LAND IMPROVEMENT AND LEASING (IRELAND) BILL.

LEAVE. FIRST READING.

LORD NAAS moved for leave to introduce a Bill to promote the improvement of land by occupying tenants in Ireland. He said, in submitting some observations to the House upon this important question, he should take up the question as nearly as possible where it was left by the House last year. It would be idle to waste the time of the House in arguing upon the necessity or the advantage of legislating upon this subject. It was a matter for argument whether legislation at all was desirable, and very strong and cogent arguments had been adduced to show that the relation of landlord and tenant in Ireland was a subject that might fairly be left to arrange itself under the ordinary law which regulated supply and demand. The House of Commons, however, had repeatedly affirmed a principle contrary to that doctrine, and he himself believed that there were circumstances in the condition of that country which rendered legislation on this question desirable if not necessary. The relations of landlord and tenant in Ireland before 1845 were but little spoken of as a political question. Agitation at that time was carried on with great violence, was conducted by men of great genius and intellect, who possessed almost unlimited sway over the feelings and affections of the Irish people. But in those times what is called the land question did not take a prominent position in the list of Irish wrongs, and the existing tenure of land was seldom, if ever, put forward by popular leaders as a substantial grievance. But in 1845 the Government thought that the relations between landlord and tenant were in a sufficiently unsatisfactory state to justify them in issuing an important inquiry, known as the Earl of Devon's Commission; ever since that Commission made their celebrated Report this subject had every year occupied more or less of attention of Parliament. Since that time he believed no fewer than twenty-five Bills had been introduced into that House on the subject. It was not his intention to raise again this dreamy row of ghosts, or to weary the House with a description of the provisions contained in those abortive measures. It would suffice to mention that only one of them had become law—that which was introduced and passed through that House by the right hon. Gentleman the Member for the City of Oxford (Mr. Cardwell). How did it happen that legislation on this subject, though attempted on many occasions by men of great Parliamentary experience, knowledge, and talent, and also by men who, though not holding office, were well acquainted with the wants and wishes of the country, had resulted in so many conspicuous failures? He believed it was principally owing, not to any disposition on the part of the House to shrink from the question, but from the enormous difficulties inherent in it. While evils were admitted to exist, the remedy proposed always appeared to the House to be either wholly insufficient or to go so far as to interfere materially with what were considered to be the undoubted rights of property. With regard to the extremer measures which had been proposed elsewhere, they had seldom found their way to that House in the shape of a substantive proposition. Such extreme proposals had been generally confined to the platform, hustings, and pamphlets, and had seldom been submitted in detail to the consideration of Parliament. In attempting to legislate upon this subject the House must approach, and endeavour to deal with interests of a private nature, and matters most varied and complicated in their character. It was almost impossible to legislate fairly in regard to all the numerous interests which must come under the purview of any proposal on this subject. This was the more remarkable because of late years there had not been any great divergence of opinion as to the objects to be attained by legislation. It is alleged and generally agreed that it was a grievance that tenants in Ireland were in the habit of making improvements at their own expense; but that, in the event of their being evicted or leaving their farms before they had an opportunity of reaping the fruits of the money they had laid out, no machinery existed for providing adequate compensation. It is further alleged that this absence of security discouraged industry and rendered the land unproductive, that it begot a feeling of carelessness and indifference, so that a lack of exertion existed among the peasantry of Ireland. That was generally, he believed, the substance of the view put forward by moderate politicians, and it was not very different from that of the Devon Commissioners as far back as 1845. The Commissioners said—

> "In some instances the tenant may have capital which he will readily expend upon the land, if he can only be assured that he shall enjoy an adequate return for his expenditure in the length and certainty of his tenure, or can have secured to him a fair compensation for his outlay and labour on quitting the farm. On the other hand, it not unfrequently occurs that the only capital which the occupier of the soil possesses is to be found in the labour of himself and his family. If you show to him in what manner the application of that labour may be rendered most conducive to his own comfort and permanent benefit, and assist him with money or materials which his labour cannot sup-

ply, you will generally find the Irish peasant ready to co-operate with you in effecting improvements beneficial alike to himself and to the country. It is because we believe in the concurrent testimony of many witnesses, that the attainment of these desirable objects is impeded by the feelings of distrust and insecurity that too often prevail among the tenant class in Ireland, that we venture to recommend some legislative interference upon this point. Although it is certainly desirable that the fair remuneration to which a tenant is entitled for his outlay of capital or of labour, in permanent improvements, should be secured to him by voluntary agreement rather than by compulsion of law; yet, upon a review of all the evidence furnished to us upon the subject, we believe that some legislative measure will be found necessary in order to give efficacy to such agreements as well as to provide for those cases which cannot be settled by private agreement. We earnestly hope that the Legislature will be disposed to entertain a Bill of this nature, and to pass it into a law with as little delay as is consistent with a full discussion of its principle and details."

So, in reality, the reasons put forward by the Devon Commission twenty-one years ago varied but little from those advanced at the present time in favour of legislation on this subject. It appeared to him that the discussions which took place last year were characterized, as far as that House was concerned, by a far different spirit from that which formerly prevailed respecting this question. Though these discussions were few—he believed they only extended over one night and a half—they were distinguished by a spirit of moderation and an apparent desire to do something practical, such as had seldom or never been evinced before, the objections therefrom raised against the Bill of the right hon. Gentleman opposite were not so much against the objects he had in view as against the machinery he suggested for attaining his end. In the present Bill he proposed to arrive at the same object as the right hon. Gentleman, but by a somewhat different road. He should endeavour to attain that object by a plan which should offer to the tenant the means of obtaining compensation for *bonâ fide* improvements of the land, without incurring the dangers of the proposal introduced last year. On the present occasion it was not his intention to enter into a discussion on the general state of Ireland. In that country, which was almost wholly agricultural, there was hardly any political or social question which was not in a greater or less degree mixed up with the land. On the present occasion, however, he should merely submit in the briefest possible way the provisions of the Bill which he was about to ask leave to introduce, although no doubt in the future stages of the measure many questions would be discussed which though, perhaps, not comprised in its provisions were yet to a certain extent connected with it. He should now endeavour to avoid any question which might raise differences of opinion, least of all was it his intention to attack or find fault with the measures proposed in previous Sessions. A great number of those measures were proposed in the sincere desire to effect something towards a settlement of the question, and he believed the chief cause of their failure was the enormous difficulties inherent to the subject. In most of the moderate measures which were introduced the great defect was that it was proposed that the tenant should be obliged to serve a very elaborate notice on the landlord as to what improvements he proposed to make, and that notice was liable to be considered by the landlord in the shape of a hostile proceeding, and might be challenged item by item before an officer before the landlord's consent was given. The second defect, common to most of the Bills, was that when the claim which was made and had been established came to be settled a great and elaborate machinery of arbitrators, courts and Judges, assistant barristers, clerks of the peace, and so forth, was considered necessary in order to decide upon the value of the claim and the amount to be paid to the tenant. In fact, in many instances litigation was made not only possible, but probable in every case. Now, in the Bill which he proposed to submit there would be no elaborate machinery of that kind. In his Bill there was no trace of a Judge, clerk of the peace, arbitrator or umpire, while even the well-known form of the assistant barrister was conspicuous by its absence. He should propose as simple a machinery as possible, his great object being to avoid, both at the commencement and termination of each transaction, anything likely to lead to litigation. He proposed to found his Bill upon the principle of the Lands Improvement Acts, which had been in operation for many years, both in Great Britain and Ireland, and had been attended invariably with beneficial results. Perhaps no Acts had ever been passed by the Legislature that had worked more easily and beneficially. They had been tried under different forms in the various parts of the United Kingdom with invariable success. The principle of those Acts was that money lent to or expended by the owners under the provisions of the Acts should be charged upon the land without reference to title, so that the money being expended under certain restrictions and rules it became a charge on the land and the land only. If, for example, an owner borrowed money under the Lands Improvement Acts, and laid it out upon the land, even though it turned out the very next day that he was not the rightful owner and had no right to effect the loan, yet whoever the owner might be, the charge would attach itself to the land until the debt was entirely paid off. In England and Scotland the operation of this principle had been very extensive. Here the money was provided by financial companies, who undertook that duty, but the carrying out of the improvement was sanctioned by a public body. In Ireland, however, the money was provided by Government. The beneficial effects of the working of this principle in England and Scotland were illustrated by what had been done by one company. It had been in existence nearly twelve years; it had lent £2,300,000, every farthing of which had been expended upon permanent improvements in land; and the repayments had been as satisfactory as the advances had been large. The annual repayments of principal and interest had amounted to something like £128,000 a year, and the arrears at this moment were only £689, so that in England and Scotland there was absolute certainty of repayment of the money advanced. In Ireland the mode of proceeding was somewhat different, and, though it was well known, it would be convenient to remind the House what it was. The owner of land might apply to the Board of Works, by means of an easily obtained form, for a loan to be employed in making improvements specified by the Act. The form was precise, but it was not so minute that there was any difficulty in filling it up. It required the applicant to state the probable expense of the improvement, the estimated increase of value that would be conferred on the land, and the actual sum required. Upon receipt of the application a notice was published by the Commissioners of the Board of Works inviting objections, and, if no objection was made within a fortnight, inquiry was instituted. If that were satisfactory the money was granted, and the work was carried on under the superintendence of the Commissioners. No second instalment was paid until the Inspector certified that the first instalment had been fully and properly expended in the proposed improvements. The loan was made a first charge upon the land, repayable in twenty-two years, and last year an Act was passed extending the term to thirty-five years. As yet, the money had been advanced for the extended term only for buildings and improvements of an expensive character, but there was nothing in the law to prevent money being lent for the full term for any contemplated purpose. It was competent to the Commissioners to lend the money at 5 per cent, repayable in thirty-five years. At present they had not done this, but they had power to do so. The result of the working of these Acts—for there were three or four of them—was most satisfactory, and from the first the beneficial effects of the advances had been manifest. In the Eighteenth Report of the Board of Works, made in 1850, Sir Richard Griffiths said—

> "The Irish agriculturist complains of low prices and deficient produce; let him drain and subsoil by the spade, and the return will be doubled, and frequently quadrupled. He is deficient in capital; a loan under the Land Improvement Act will provide it. He alleges he is borne down by rates, particularly the poor's rate; let him employ the people in draining and subsoiling his land, and his rate will be light. In fact, the provisions of the Land Improvement Act meet nearly every requirement necessary for the agricultural improvement of the country. We hear on all sides that it is impossible to support the present pauper population, but it should be borne in mind that the people have become paupers from failure of employment; and it is gratifying to know that, where employment has been afforded them on useful works their labour has been rendered productive, and that when employed by task, as is universally the case in the land improvement, as well as the arterial drainage, they have become industrious, skilful, and thankful labourers; and it is to be observed that, including the attendant main drainage, every acre drained and subsoiled gives full employment to about 160 labourers for one day."

That was the opinion expressed nearly fifteen years ago, and it had been fully confirmed by the subsequent operation of these Acts. What was the financial result of the working of the first Land Improvement Act? Advances had been made to as many as 2,000 owners. The number of loans had been 4,210. The largest loan made was £7,000. The smallest £100. There had been 2,092 loans under £500. The total amount advanced since 1847 had been £1,866,000, the whole of which had been expended in the permanent improvement of land. The re-payments were nearly as satisfactory in Ireland as the re-payments in England, for since 1847 the re-payments of principal and interest had amounted to £1,618,000. The arrears amounted altogether to only £3,899, every shilling of which was, he believed, good and recoverable. He had received a letter from the Secretary of the Board of Works expressing his opinion to that effect. The conclusion to which he came to was, that the principle of these Acts was good, and that it was desirable, if possible, to extend the benefits they conferred. The proposed Bill was very simple and short, numbering only twenty-one clauses. The improvements it proposed to effect were—thorough and main drainage, reclamation of waste land, and the clearing of land from rocks and stones, the removal of old and useless fences, the making of new fences, the making of farm roads, and the erection of farmhouses and other buildings. With the exception of the reclamation of land from the sea, and other works of a large character, which were not suitable for tenants' improvements, the Bill comprised nearly every description of improvement that had been introduced in former Bills. As to the machinery by which the objects of the Bill were to be attained, he proposed that the Lord Lieutenant of Ireland, with the approval of the Commissioners of the Treasury, should appoint a Commissioner of Public Works, for the special conduct of the operations to be carried out under the Act. Machinery existed already in the Board of Works, which rendered the appointment of a large staff unnecessary. The Special Commissioner would have to devote his whole time to the discharge of duties imposed by the Act; but he would be associated with the present Commissioners, and he would have the advantage of the assistance of the solicitor, architect, and inspectors, and the various officers of the Board now employed under the Lands Improvement Acts. He (Lord Naas) did not propose to create a new department, to employ a large staff, or to incur any great expense. The great difference between the position of the Special Commissioner and that of the officers of the Present Board of Works would be that he would be more directly under the control of the Irish Government, and that the Irish Government, in conjunction with the Treasury, would be responsible for all his acts. More than once objection had been taken to the action of the Commissioners of the Board of Works in Ireland, and complaint had been made that there was not sufficient responsibility attached to their conduct. He therefore proposed that this Commissioner should be more under the control of the Irish Government than the present officers of the Board, and in this way the objections alluded to would be obviated. He proposed that this Commissioner should have the power, from time to time, with the sanction of the Lord Lieutenant and the Commissioners of the Treasury, to make rules and regulations for the carrying out of the Act, to frame rules for the making of preliminary inquiries, to defray and secure the re-payment of expenses, to see to the due expenditure of each instalment of a loan, and the proper execution of the improvements, and to collect the rent-charges payable under the Act. These rules and regulations were, within a month of their being framed, to be submitted to Parliament, and an annual Report was to be presented to the Lord Lieutenant and also laid before this House. In order to provide the money which would be required in the first instance to give effect to the provisions of the Bill, he did not propose to ask Parliament to make any advances beyond those which had been already sanctioned. The Act passed last year, in addition to authorizing the Commissioners of the Board of Works to extend the time for repayment, sanctioned the advance out of the Consolidated Fund of £1,000,000 for the improvement of land in Ireland, and this, added to the advances authorized by three preceding Acts, gave a total of £3,000,000. He was happy to state that no further sum would be for the present required. The advances made under the four Acts, up to the 31st of January last, amounted to £1,874,042; the balance unissued was therefore £1,125,958. The claims outstanding sanctioned at that time amounted to £111,460; the loans applied for but not then sanctioned would absorb £36,656; these two sums amounted to £148,116, and that left a balance of £977,842. So that there was nearly £1,000,000, the advance of which had been sanctioned by Parliament, available for the object of land improvement. It might be said that this money was advanced for landlords' improvements, and that now it was proposed it should be laid out by tenants. There was not, however, much weight in that objection, for all the money was to be spent on the landlords' property, and if the plan worked well Parliament, he believed, would never be unwilling to lend the credit of the country—for that was what it came to—for an object so desirable as the improvement of the soil in Ireland. There could, therefore, be no substantial objection to the proposal that this £1,000,000 should be devoted to the purposes of the Bill. The next proposal was, that if any tenant was desirous of availing himself of the provision of the measure he should apply to the Commissioners by memorial, pretty much in the same form as the owner now did when he made application for advances, and that most of the proceedings necessary in the one case should be requisite in the other. The Commissioners would then give notice to the landlord and also to the person in actual possession of the land that such an application had been made, and would proceed to institute the proper inquiries in order to enable them to judge of the propriety of the proposed improvement. As soon as the Commissioners were satisfied that the improvements were good and would immediately or prospectively effect a considerable increase in the value of the land—that is, an increase above the charge which it was proposed to place upon it—they would grant to the tenant a certificate sanctioning the improvement, and that certificate would be in the form provided by the rules and regulations he had alluded to before. The proceedings, therefore, to be taken so far would be almost the same on the part of the tenant as were now required on the part of the owner. With regard to the different kinds of improvement he intended to make some distinction. As he had already stated there were six kinds of improvement proposed under the Bill. The first three were the main and thorough drainage of land, the reclamation of waste lands, the clearing of the soil from rocks and stones, and the removal of old and useless fences. That these must always be improvements would be admitted; but there was a substantial difference between these three descriptions of improvement and the three last, which were the erection of farm buildings and dwellings, the making of new fences, and the construction of farm roads. With regard to the first three classes, therefore, it was proposed that the Commissioners having been applied to in the first instance by the tenant, and having given notice to the landlord of his intention to permit the improvements, that notice should be sufficient. But, with respect to the last three classes of improvement, concerning which great difference of opinion might exist, and concerning which the landlord might think that they ought not to be made, and might be contrary to ulterior objects which he might have with regard to his property, it was proposed that if, in that case, after hearing what was to be said upon the subject, the landlord expressed his dissent, the Commissioners should not be allowed to sanction the improvements. He had said there was a substantial difference between the two classes of improvements. The first description, if done in an efficient manner, could not but be regarded as beneficial, and could not but make the increased value of the land greater than the charge proposed to be laid upon it. No difference of opinion ought to exist on the subject. But it might be otherwise with regard to the other class. He did not think it necessary, therefore, that the dissent of the landlord should put a stop to improvements of the first kind. The Commissioners should proceed, then, to advance out of the money provided by the Act the amount specified, and when that advance had been made he should make a certificate of charge, and the land would be affected by that certificate precisely in the same way as it was affected by the certificates of charge for improvements made by the owner. The term of repayment was to be thirty-five years, and the charges should be repaid in the usual half-yearly instalments in the same way as were the charges under the old Lands Improvement Act. He now came to another portion of the Bill, which he hoped would be still more extensively useful than the part he had described. He proposed that in cases where the tenant should find it more to his convenience to lay out either his money or labour on his holding, if he should think fit to go through those easy and simple forms which he would have to do in order to borrow the money, the Commissioner would be enabled to charge the land precisely in the same way as if the money had been advanced by him. The tenant would, therefore, be in this position—if at any time he was evicted or wished to leave his land, or to get back the sum of money that he had laid out upon it; if he should be able to prove to the Commissioner that the improvements made were maintained in an efficient manner, he would then be entitled to go and receive back from the Commissioner the money charged upon the land in a lump sum, minus only the instalments he should have paid had he borrowed the money in the ordinary way. The tenant, therefore, would be able during the period of his tenancy to recover from the Commissioner the remaining portion of the charge placed upon the land. There was ample provision made to enable the Commissioner to discover whether the improvements were maintained in thorough and efficient repair. The Commissioners would be able to say to the tenant, "If you have no money to lay out, if you show us that the improvements are good, we will lend you the money; or if you have money or its equivalent—labour—we will secure it to you in such a manner as will repay you over and over again for the improvements you may have effected." The Bill had a great advantage in this respect. The great blot in the tenant-right system of the North of Ireland was this, that the outgoing tenant in every case received a lump sum for his improvements from the incoming tenant. It was quite right that the outgoing tenant should be paid in this manner for his improvements, but it was very much to the disadvantage of the incoming tenant, because by the payment of a large sum, which he ought to have kept for the improvement of his farm, he was—as gentlemen connected with the North of Ireland could testify—often pauperized and rendered incapable of working his farm in a profitable manner. He would, therefore, by this Bill save tenants who chose to take the benefit of it from so great an evil. The outgoing tenant would still receive a lump sum, but the incoming tenant would be able to spread the payment of it over a number of years, the number to be measured by the remainder of the thirty-five years which still had to run. There was another great benefit which it was intended to confer upon the country by this Bill. They heard a good deal of improvements effected by the tenant, and no doubt some had been made; but they all knew that there was in Ireland a great want of agricultural knowledge, and that a great deal of money and labour had been expended upon works which were no improvements at all. It was intended by the machinery of this Bill to put within the reach of the tenant sound agricultural instruction for the making of improvements. The improvements before they were undertaken would have to be specified and described, and afterwards they would have to be carried out according to the description and specification. They would not be carried out in an expensive and extravagant manner, but according to the plans which our improved agricultural science and knowledge showed to be the best. Objection might be taken to the necessity which the Bill would impose upon perhaps a poor tenant, of serving such a notice as this. But let the House consider how it would act. The tenant would not be placed in the position in which other Bills put him, of serving notice upon the landlord, which, in many cases, would, he feared, be taken as a hostile proceeding. He would serve the notice on the Commissioner. Again, it would be objected that a poor and illiterate man would find great difficulty in drawing up the necessary specifications. But that would not be the case, for in every district there would be a surveyor of the Board, who would be perfectly competent to draw up those specifications and plans; and more than that, the officer of the Board would have a direct personal interest in persuading the tenant to make those applications, because he would be paid according to the work which the tenant undertakes. There would, therefore, be no difficulty in a tenant obtaining the assistance of a person of sufficient skill in drawing up notices and plans. There was no country in the world which offered such facilities for the framing of such notices as Ireland, inasmuch as there was an admirable staff of surveyors in the country—one in each county—fully competent to perform those duties which the Bill proposed. Having placed the working of the measure in the hands of the Commissioner, he did not think it necessary to limit the outlay with regard to the size of the holding, because the Commissioner could not sanction any improvement unsuitable to the holding, or which would not increase its substantial value. The extent of land which would probably be affected by the measure would be very large. A Return, which had been prepared with the assistance of Sir Richard Griffiths the Commissioner for valuation, and which was one of the most important Returns ever made connected with the owners and occupiers of land in Ireland, would shortly be laid on the table of the House. Excluding altogether the tenements in towns or in the neighbourhood of towns, and those which could in any respect be regarded as urban, it showed the number of purely agricultural holdings, with the area, value, and population of each district. The number of such holdings in Ireland was 608,864. Were the Bill applied to all holdings of the value of £10 and upwards, it would include 242,998; if to holdings of £15 and upwards, it would include 165,193; and if to those of £20 and upwards, 119,214. Taking the average valuation of the holdings under £10 to be £6, the Bill, if limited to the former sum, would embrace holdings valued at £7,980,552 out of a total of £10,175,748, or as nearly as possible 4-5ths of the holdings in all Ireland. As, however, the small farms were mostly situate in Ulster, where tenant-right already existed to a great extent, it would actually include nearly 9-10ths in value, and at least 5-6ths of the whole surface of Ireland. These were the principal provisions of the Bill, to which he had added two clauses relating to fixtures, taken from the Bill introduced by Mr. Napier in 1852. These would simplify the law on that subject, and would clear up some of the doubts which attended the construction of two recent statutes. They provided that all buildings and fixtures hereafter attached to the holding by the tenant at his sole expense, and not erected in pursuance of any contract, obligation, or agreement on his part, should be his absolute property, and might be removed by him at any period of his tenancy. The only stipulation was that he should give notice of his intention to the landlord, and that the latter should have the option of purchasing them at a valuation fixed by two arbitrators, or, in case they disagreed, by an umpire to be then appointed. These clauses went very little beyond the existing law, especially the provisions of the Act of 1860; but as there was some doubt as to the operation of that clause, they would, he hoped, receive the sanction of the House. He had thus explained the provisions of the measure, which, based upon the principle of a well-known and successful code, though it contained nothing new in principle, applied well-known principles in an extended and novel form, such as had never before been proposed. It was framed entirely in the interests of the Irish tenantry, and he believed that any occupier desirous of securing the benefit of his improvements would experience but little difficulty in availing himself of its provisions. While, however, it would tend to encourage industry and increase contentment, to promote exertion by the tenant, and to make his dwelling more fit than it usually is in Ireland for human habitation, the landlord also would, he believed, be no inconsiderable gainer. The Bill was calculated to show to the tenant that he had nothing to do but really and honestly to take advantage of it, and he would be able to make sure that that which he sowed he should also reap. If it benefited the tenant, it must also benefit the landlord, because there were no two classes in the social state whose interests were more identical than those of the landlord and tenant. The well-being of the tenant was really the life-blood of the prosperity of the landlord. The tenant might exist alone; but it was clear that the landlord could not exist without the tenant. He asked the House to consider whether the Bill would not really go far to remove many of the grievances complained of. The hon. Member for Westminster (Mr. Stuart Mill), in a remarkable speech which he delivered last Session, thus summed up what he regarded as the objects to be kept in view with reference to the Irish tenantry—

> "How are the present tenantry, or the best of them, to be raised into a superior class of farmers? . . . . Give them what you can of the encouraging influences of ownership. Give them an interest in improvement. Enable them to be secure of enjoying the fruits of their own labour and outlay. Let their improvements be for their own benefit, and not solely for those whose land they till."—[3 *Hansard*, clxxxiii. 1091.]

Now, this was exactly what the present measure was calculated to accomplish. It would enable the tenant to obtain all those advantages by the exercise of industry and exertion, which was the only way by which any tenant, whatever the nature of his tenure, could expect to obtain them. He would not describe the Bill as a settlement of the question. In a free country, and in an age of rapid change, it was presumptuous to affirm that any great question, political or social, was absolutely settled; but he believed that if the House, after calmly considering and possibly amending it, should pass this measure into law, it would remove many, if not all, the complaints that had been urged from time to time on behalf of the occupiers of land in Ireland.

Motion made, and Question proposed,

"That Leave be given to bring in a Bill to promote the improvement of Land by Occupying Tenants in Ireland."—(*Lord Naas.*)

MR. CHICHESTER FORTESCUE said, he would not attempt on that occasion to discuss what his noble Friend called the simple, but what appeared to him the very complicated and elaborate provisions of this measure. He must, however, congratulate him on having—though somewhat timid and restrictive in his application of it—entirely departed from the principle which he so zealously impressed upon the House last Session for the purpose of defeating the second reading of the Bill introduced by the late Government. The Resolution which his noble Friend then moved declared that compensation should be given to the tenant in respect only of improvements made with the consent of the landlord; whereas, with regard to one class of improvements made in the land—namely, drainage, reclamation, and clearing of land from stones, and the removal of old and useless fences, his noble Friend, in defiance of his own antecedents, now entirely abandoned that principle. It was only to be regretted that he had not carried his change of opinion further, and had not extended the principle to improvements in farmhouses and buildings, which were above all others required on Irish farms. Upon the first blush, the measure appeared liable to many and serious objections, the cardinal one being to the lending of money by the Treasury to those who were in one sense tenants-at-will. It was surprising that the present Treasury should have consented to such a proposal. The principle of lending money on land to those who had a long interest in it was a recognised one; but his noble Friend proposed to make loans of the public money to tenants who were liable to be removed at six months' notice. This, of course, was an objection from an official or Governmental point of view, but he thought it was one of no slight importance, and one which he should have thought would have nipped the Bill in the bud. Another objection was that the plan of his noble Friend required more from the poor Irish tenant than could be fairly required from him. The fatal error which had prevented the twenty-five ghosts of Bills spoken of by the noble Lord from being embodied into Acts of Parliament, and which had led to the Act of his right hon. Friend the Member for Oxford (Mr. Cardwell) becoming a dead letter, was that too much had been expected from the peasantry in the way of putting those elaborated processes in motion. His noble Friend had spoken of the tenant arriving at the same result by this Bill as the late Government had intended he should arrive at by theirs, and he gave him credit for that intention; but before one arrived he must start. What he feared was that under the Bill of his noble Friend the Irish peasant never would be able to start on the race of improvement. Was it to be supposed that the Irish tenant would go through all the proposed forms of applying to the Board of Works for a loan to enable him to begin and carry on his improvements? He must confess that to him it appeared that unless some of these preliminaries were struck out, and the proceeding were made more simple, the Bill would contain in itself a fatal obstacle to its provisions being carried out by the occupiers of Ireland. It was this view which had induced the late Government to proceed on a totally different plan, and to provide what he might call a self-acting piece of machinery. The principle upon which they had proceeded was not only to change, but actually to reverse, the general presumption of the existing law as regarded landlord and tenant in Ireland. In nine cases out of ten, improvements on the land in Ireland were made by the tenant. Under the existing law, those improvements were handed over to the landlord on the expiration of the tenancy, unless there had been an agreement to the contrary. In the Bill brought in by the late Government that principle was reversed, and those improvements became the property of the tenant, unless the two parties had specially agreed to the contrary. He believed a self-acting system, such as that, would have had a most salutary influence on public opinion, and on the dealings between landlords and tenants in Ireland. He did not wish to prejudge the Bill of his noble Friend; but he feared from the character of its machinery that the measure would not work in the beneficial manner that the Government wished and intended it should.

THE O'DONOGHUE said, there was an unintentional inaccuracy in the statement of the noble Lord that previously to 1845 no person possessing popular influence in Ireland had manifested an interest in the settlement of the land question. Long previously to 1845 O'Connell had pointed to the position of the Irish tenant, and indicated the manner in which it ought to be improved. The Bill now before the House must be regarded as one of the most important measures of the Government; because, no doubt, it formed part of that great scheme by which, according to the Chancellor of the Exchequer, they were to stop the hæmorrage of people from Ireland, and by which, according to the Attorney General for Ireland, there was to be a prodigious development of that country's resources. Much must have been expected from the measure, because it was known that one of its principal framers was acting under a revulsion of feeling. The noble Lord the Chief Secretary for Ireland had more than once stated in that House that the measures brought forward to improve the relations between landlord and tenant would have the effect of injuring rather than of benefiting the tenant. He was far from blaming the noble Lord for having changed his mind. He rejoiced at the circumstance, because he thought it was a confession on the noble Lord's part that those relations were not satisfactory, and that those who would have the confidence of the Irish people must endeavour to deal with the land question. The House and the country had now to consider whether the Bill which the noble Lord proposed to introduce would be accepted as a satisfactory settlement of the land question. It was quite possible that the provisions of the Bill might be good in themselves, but, at the same time, fall so far short of what was required as to insure the condemnation of the Bill as a proposal for such settlement. The land question was not an abstruse one. They all knew of what it was the occupiers complained. They all admitted that every facility which could be given to all classes of cultivators to improve the land ought to be given to them, and that every obstacle in the way of such improvement ought to be removed. He believed that this Bill would have no beneficial effect practically on the masses of occupiers, while it might make that position worse than it was at present if it could possibly be accepted as a final settlement of the land question. He believed the provisions of the Bill might in themselves be good; but it never could be accepted by the occupiers as a fair settlement of the land question.

Mr. AGAR-ELLIS said, he wished to inquire whether it would be necessary for the tenant to get the landlord's sanction before he could borrow money for improvements?

The SOLICITOR GENERAL for IRELAND (Mr. Chatterton) said, that as one of the framers of the Bill, he shared in the responsibility of the proposals now before the House. He was surprised to hear the charge that the noble Lord had departed from the principles upon this subject on which he acted last year; and he could only account for the charge by supposing that it was forgotten that the present Bill was founded upon totally different principles from that of last Session. The Bill of the late Government proposed that the tenant, without notice to the landlord, might make improvements, and that after a number of years, and when there could no longer be an opportunity of testing the validity of the claim in a satisfactory manner, he might demand compensation for those improvements from the landlord or his successor. Under the Bill which his noble Friend sought to introduce, all parties were effectually guarded. The tenant was made to a certain extent independent of the landlord for improvements made in the land; but, on the other hand, the landlord had a security that the improvements would be beneficial. Notice was required, but it was notice to a public officer, independent of both the parties, whose duty it was to see that the money was honestly expended, and that the improvements were *bonâ fide*, and such as to increase the value of the land. Was it fair to represent such a proposal as a departure from the principle on which resistance was last year made to the proposals of the then Government? Improvements in the land were distinguishable in general from improvements on the land. There were improvements on the land, particularly in the case of buildings, by which a landlord might be improved out of his estate; buildings of so extensive a character, and so entirely unsuited to the character of the holding, that the landlord might never be able to recover anything proportionate through an increased letting value. The veto of the landlord against this latter class of improvements was to be exercised after the Commissioner, an impartial public officer, had been afforded the opportunity of putting before him reasons which ought to be solid. If the landlord were convinced that the change was really for the benefit of the estate, the veto of course would not be exercised; but if he were not convinced, he had clearly a right to exercise that veto. The next objection of the right hon. Gentleman was that the money to be lent to the tenant was the money of the State. But whose money did the Bill of last year propose to lend? The money of the landlord, without security or check of any kind. The present Bill, on the contrary, only sanctioned what would be a secure investment, for the money was to be invested under *bonâ fide* inspection from time to time by a public officer. As to the fear that tenants of small holdings would not understand the complicated provisions of the Bill, what were these when looked into? Printed forms containing all the necessary heads would be freely supplied to persons requiring them, and the Inspector in the district would supply every information requisite as to how these were to be filled up. When a tenant was about to give the legal notices, it surely was not too much to expect that he should have made up his own mind as to the character of the improvements which he contemplated. Between the tenant and a captious or objecting landlord, if any such should be found, an impartial public officer was judicially interposed by the Bill. He would not enter into a discussion of what the hon. Member for Tralee called "the land question." He did not really know what the land question meant. But he might suggest that this measure afforded a very good test of what some meant by that phrase. If by the land question were meant something in the nature of a transfer of property from the landlord to the tenant, this measure was not intended to do anything of the kind, or to aid or abet any such design. But if it meant merely an honest desire to get secured to the tenant the value of *bonâ fide* improvements effected in the land, then he believed this measure would deal justly and effectually with the land question. As to borrowing money, the provisions of the Bill, when these were in the hands of Members, would bear upon their face evidence that they were intended to apply to improvements in the land as distinguished from those on the land—that was to say, to improvements by which all who were interested in the land would be benefited.

COLONEL GREVILLE said, he admitted that the Bill would not constitute a settlement of the land question; but he did not think the objections taken by his right hon. Friend (the Member for Louth) were well founded. It was a very fortunate thing, he thought, that his noble Friend the Chief Secretary for Ireland had been able to induce the Treasury to lend the money of the State to the Irish tenant farmers to improve their lands. As to any objections on that score, let the noble Lord settle those with his own Colleagues; as far as the country was concerned, it was of great benefit that the noble Lord had been able to carry his Colleagues along with him. Bearing in mind that of the £3,000,000 advanced for improvements in land a balance of £1,200,000 was available, the noble Lord, he thought, was quite justified in his proposal. Moreover, the improvements being made in the land itself, and remaining a charge upon the land, there would always be good security for the investment. He found no fault now with the noble Lord for any opinion which he might have expressed in former times. He had come down now, in the responsible position of Chief Secretary for Ireland, speaking the sentiments of the Government, to recommend a principle which went considerable lengths in the direction for which Members at that side of the House always contended. He wished the measure had been more extensive; but such as it was it ought to be welcomed, and, if possible, improved when before the House in detail.

MR. BRADY said, he wished to express his grateful thanks to the noble Lord for having introduced the Bill, the principle of which he hoped, for the advantage of Ireland, would be carried out. The people of Ireland were in a very distressed condition owing to the state of the law as regarded landlord and tenant, and any measure which would have the effect of alleviating that distress ought to have the sanction of every Member of that House. If this question could be settled the people of Ireland would become more happy and prosperous, and in the future would be as loyal as the citizens of any other part of Her Majesty's dominions.

MR. BLAKE said, he thought the Bill a good one as far as it went, but it did not meet the case of three-fourths of the tenants of Ireland. The noble Lord, who understood the Irish land question as well as any Member of that House, must see that its provisions did not meet the case of the tenant who little by little, without the consent of or having given notice to his landlord, and probably without any settled intention of doing so at the outset, by long years of labour reclaimed the bog or cleared the mountain side of stones. In many cases, also, he believed that the very dread of the landlord entertained by the tenantry would deter them from giving notice to the Commissioner.

SIR PATRICK O'BRIEN said, he thought that the Bill would be in a great degree inoperative, because, if it became law, a tenant would not be able to make improvements without the consent of the landlord. If a landlord did not desire his land to be improved, he would forthwith give his tenant notice to quit. He feared that the Bill of the noble Lord would not settle the land question in Ireland.

Mr. GREGORY said, he approved of the principle contained in the Bill of allowing the tenant to become a borrower, which might get rid of many existing difficulties which occasioned the eviction of tenants, under whatever circumstance they might be evicted. The value of their improvements would, at all events, not be lost to them. The proposal of the noble Lord seemed, however, to be surrounded with considerable difficulty. The system was too complicated and elaborate for a simple people like the Irish peasantry. The appointment of the local inspectors, who were not to be paid salaries, but according to the amount of money expended on the work under their supervision, might have the effect of increasing the expenditure without due regard to the requirements of the land. The noble Lord must not flatter himself that this Bill, however well it might be accepted, would settle the land question. He had been much about Ireland of late, and had endeavoured to ascertain from the people what their feeling in the matter was, and he was convinced as to what was at the bottom of that discontent which had made the soil there so ready to receive the seeds of every attempt made against our Empire. The source of discontent in Ireland was not a feeling that the tenantry were not paid for their improvements, but a conviction that the whole system of land tenure in the country was abnormal, since the tenants had no security for their holdings. In Scotland, on the contrary, they found a tenure in which the largest amount of produce was derived from land; while, at the same time, the largest rents were there paid, and the tenants were contented. Security of tenure, even for a limited period, was the source of Scotland's contentment; insecurity was the cause of Ireland's discontent. Some Irish landlords were surprised at the views he entertained, knowing the perfect security their tenants had enjoyed from father to son, and how little weight they attached to leases. But it was not for the good, but for the bad, that he would legislate; and the language of all the tenants advocated before the late Committee was to this effect:—that if all landlords were considerate and just, there would be no cry for tenant right. There were, however, too many cases where tenants were turned out, sometimes from caprice, and sometimes from interested motives, under circumstances which produced the most painful impression in the country, and gave rise to that feeling which indisposed the people to the institutions under which they lived. He was convinced that if the general system of tenure in Ireland was assimilated to the system in Scotland, and the tenants were secure of their holdings for a certain period, every man thus secured would be, as it were, a sworn special constable in favour of law and order. He should do his best to assist the noble Lord; but he did not think we should ever have thorough peace in Ireland until the tenure of land was assimilated to the tenure in Scotland and Prussia, and in those other countries where agrarian discontent was unknown.

Mr. O'BEIRNE said, he had looked in vain to find a satisfactory measure in the Bill of the noble Lord, and he regretted that he had not been able to find it. He was anxious to give the noble Lord all the assistance in his power if the Bill could be made a satisfactory one, but he feared that that was impossible. He believed that a much shorter and more effective road must be taken in dealing with the question, which was one more of tenure than of compensation, and he believed the Bill to be brought in by his hon. Friend (Mr. Agar-Ellis), which related solely to the tenure of land, would be much more likely to prove an effective remedy for the existing state of things. The evil against which he wished them to provide was not one of a merely imaginary character, and he would give an instance of the mode in which it operated. A Belfast merchant had lately purchased in the county of Down a large estate, on which were settled a thriving tenantry. But those people were tenants-at-will, who paid 7*s.* 6*d.* per Irish acre. The new proprietor, thinking, as he had a perfect right to do, that that sum was too small, served the different holders with notices to quit; but, at the same time, intimated that he was prepared to accept from them rents which were to be increased by sums varying from 37*s.* 6*d.* to 57*s.* 6*d.* per acre. They declined to accept that offer, although some of them expressed their readiness to pay an additional rent of 40*s.* per acre, and as he was not satisfied with that proposal, they were all threatened with the total loss of their farms. But if that threat were enforced, they would, under the operation of the existing law, in ten days, be thrown helpless upon the world, and be deprived of any kind of claim to compensation for that improved value which the application of their own capital and industry had given to the land.

SIR FREDERICK HEYGATE said, he wished to congratulate the noble Lord on the introduction of his Bill, and on the reception which the House had accorded to it. Until they had seen the measure it was premature to talk of its complication. The noble Lord had been taunted with altering his opinion on the subject; but surely, considering the recent circumstances of Ireland, he could well afford to bear that reproach. The emigration still going on from that country was a most serious matter; and, although a Bill such as this might not stop that emigration, yet anything which checked that tendency would be a blessing to Ireland. The hon. Member for Galway (Mr. Gregory) had contrasted the Scotch system of tenure with that prevalent in Ireland; but how was it possible to compare the case of a country where land was so much subdivided as it was in Ireland with that of a country like Scotland, where the farms were generally of great size? The introduction to a moderate extent of the tenant right principle which existed in Ulster would, he thought, prove beneficial. That principle might be carried to an unreasonable length, so as to be a bar to the landlord's sanctioning improvements; and he had known a man to be pauperized by the large sum he had to pay for the tenant right. But where there was a moderate amount of tenant right, and where the tenant had a security, whether by a lease or through his confidence in his landlord, he had a permanent interest in the soil, and would think twice before he exchanged the security and associations of his native country for the attractions of the new one across the Atlantic.

MR. REARDEN said, he thought they were indebted to the noble Lord for the kind intentions with which he had introduced that measure; but, at the same time, he (Mr. Rearden) believed that the scheme would be found to be of very little value unless it were considerably amended. He should propose Amendments when the Bill was in Committee. He thought it fell far short of a final settlement of the land question.

MR. MURPHY said, he wished to suggest that when the Bill got into Committee a clause should be introduced into it providing that a tenant-at-will, spending his own money on improvements, should have some kind of security in the shape of an extended period for his occupancy, and not be liable to be turned out summarily at the end of six months. He gave the noble Lord every possible credit for good intentions; but doubted whether the plan for making advances to tenants would be found to work in practice where they had not some security of tenure. The whole complaint of tenants in Ireland, as a class, was the want of security of tenure, in other words, an incentive to lay out their money, and to take an interest in their business. He remembered the time when leases in Ireland were the rule and not the exception as now. He thought a better Bill might have been introduced, but he reserved further observations for the Committee.

LORD NAAS said, with regard to the charge of inconsistency which had been sought to be fastened upon him, that it was true he had moved a Resolution last year in the terms which had been quoted; but that Resolution was, in effect, the Resolution of the late Government. It was proposed in the Committee in 1865, by the desire and with the consent of two Members who represented the late Government in that Committee, one of whom was the right hon. Member for the city of Oxford (Mr. Cardwell). So that if he was open to the charge of inconsistency in to a certain extent now departing from the principle of the Resolution of last year, how much more was the late Government open to it, seeing that they departed much sooner from that principle, and introduced a Bill directly opposed to it in every clause? He therefore left the House to judge on whom the charge of inconsistency principally rested; but, in reality, he only extended the provisions of the Land Improvements Acts now, which provided that the charge of re-payment should attach itself to the land, not to the owner. But he now turned to a more important point. It was said the Bill proposed that the Government should lend money to occupiers in Ireland, no matter what was the size of their holdings. Now, it was perfectly true that it did so to a certain extent; but, in reality, the charge was not upon the occupying tenant, but on the land; and the security to the Treasury for the loan under the Bill would be as sound, good, and easily enforced as a security taken under the Land Improvement Act. Additional security to what was given by that Act was taken; because the Bill provided, with regard to the re-payment of the instalments, that they should, if the Commissioners saw fit, be collected with, and in the same manner as, the county cess and the poor rate.

Mr. CHICHESTER FORTESCUE said, he wished to ask whether they would be levied from the tenant or the landlord?

Lord NAAS said, they would be levied from the occupier of the land whoever he might be, and not only would the land be liable, but the property of the tenant would also be liable till the money was paid. In the case of a change of tenancy, the tenant would take the land with that charge upon it. The Bill exactly met the case suggested by the hon. Member for Waterford (Mr. Blake), with reference to the reclamation of mountain or bog land. As to the assertion that landlords could evade the Bill by giving their tenants notice to quit, he would ask what man could frame a Bill not open to the same objection? The Bill of the late Government not only permitted the landlord to evade the law by giving his tenant notice to quit, but actually suggested that course to him by the contract clause framed for the purpose of enabling the landlord to evade the preceding one. The hon. Member for Galway (Mr. Gregory) had made some excellent remarks upon the subject of agriculture in Scotland; but, although they would all join with him in wishing for Ireland as happy a state of things as existed in Scotland, he did not believe the tenantry in Ireland would prosper under a system of short leases. Irish tenants would not relish having their holding put up for auction and let to the highest bidder after their nineteen years' lease had expired. Short leases might be profitable to landlords, and conduce to the improvement of the land; but they would operate harshly upon the holder, and lead to a constant change of tenantry, which was undesirable. There were no holdings the tenancy of which were oftener changed than these Scotch cases, and at the termination of the lease the land was frequently re-valued and sold by auction to the highest bidder. He hoped the House would calmly consider this Bill, which was simply a Bill to provide a tenant with compensation for his improvements. His Bill did not affect the question of tenure, and he would not recommend legislation upon the subject. If the House attempted to force the landlords of Ireland to grant any specific tenure, hon. Gentlemen would find the attempt both dangerous and difficult; and the result would show that the greatest sufferer by coercion of this description would be the tenant.

Question put, and *agreed to.*

Bill *ordered* to be brought in by Lord Naas and Mr. Solicitor General for Ireland.

Bill *presented,* and read the first time. [Bill 29.]

LAND IMPROVEMENT AND LEASING (IRELAND) BILL.

On Motion of Lord Naas, Bill to facilitate the Improvement and Leasing of Land by limited owners in Ireland, *ordered* to be brought in by Lord Naas and Mr. Solicitor General for Ireland.

Bill *presented,* and read the first time. [Bill 30.]

PUBLIC ACCOUNTS.

Committee of Public Accounts *nominated:*—Mr. Bouverie, Mr. Howes, Mr. Laing, Lord Robert Montagu, Mr. Pollard-Urquhart, Mr. Hubbard, Mr. Childers, Mr. Algernon Egerton, and Mr. Hunt:—Power to send for persons, papers, and records:—Standing Order, That Five be the quorum, *suspended:*—Three to be the quorum.

LAND IMPROVEMENT CONTRACTS (IRELAND) BILL.

On Motion of Mr. Agar-Ellis, Bill to enable Contracts to be made between Landlord and Tenant for the improvement of Land in Ireland, *ordered* to be brought in by Mr. Agar-Ellis and Colonel French.

LAND TAX COMMISSIONERS' NAMES BILL.

On Motion of Mr. Hunt, Bill to appoint additional Commissioners for executing the Acts for granting a Land Tax and other Rates and Taxes, *ordered* to be brought in by Mr. Hunt and Mr. Chancellor of the Exchequer.

Bill *presented,* and read the first time. [Bill 31.]

House adjourned at half after Twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 19, 1867.

MINUTES.]—Select Committee—On Traffic Regulation (Metropolis), The Lord Portman and The Lord Ebury *added.*

Public Bill—*Second Reading*—British North America (9).

PRIVILEGE—MR. R. S. FRANCE.

Order of the Day being read for the Attendance at the Bar of the House of Mr. R. S. France and for the Production by him of the Letters addressed to him by The Lord Redesdale on the Subject of a Pamphlet written by him entitled "Lord Redesdale and the new Railways," the Yeoman Usher informed the House that Mr. R.

S. France was in attendance; then he was called in, and delivered the said Letters and Correspondence, and having been examined, was discharged from further attendance: *Moved*, That a Select Committee be appointed to inquire into the Charge brought against the Chairman of Committees in the said Pamphlet of having improperly introduced a Clause into the Mold and Denbigh Junction Railway (Extensions) Act, 1865, and to report thereon to the House; *agreed to:* The Committee to be named on *Thursday* next. The said Letters and Correspondence to be *printed*, and *referred* to the said Committee.

BRITISH NORTH AMERICA BILL—(No. 9.)

(*The Earl of Carnarvon.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE EARL OF CARNARVON said: In laying before your Lordships the details of one of the largest and most important measures which for many years it has been the duty of any Colonial Minister in this country to submit to Parliament, I must unaffectedly ask for the forbearance of the House. I have, however, this advantage in the performance of my task, that the present measure is not a question of political controversy, and that I may count almost as much upon the sympathy of many noble Lords opposite in the purposes of this great undertaking as upon those of my noble Friends on this side of the House with whom I am in the habit of acting. And here, in the very outset, I would wish to bear my testimony—whatever it may be worth—to the ability and patience with which my right hon. Predecessor in the Colonial Office, Mr. Cardwell, laboured to effect the consummation of this work. From the evidences, indeed, which I have seen in that office of the interest that he took in this question, I am confident, although it has fallen to my lot rather than his to submit this measure to Parliament, yet that there is no one in either House who will more sincerely rejoice in its success than the right hon. Gentleman.

My Lords, I will not detain your Lordships now by any lengthy recapitulation of the early history of this question. It is enough to say that, in one form or another, it has for many years been before the public mind in the British Provinces of North America. Lord Durham, when he proposed in his most able Report the legislative union of Upper and Lower Canada, distinctly contemplated the incorporation of the Maritime Provinces. But delays and difficulties intervened, and Lord Durham's intentions were never carried out. In 1858, however, Sir Edmund Head, then Governor General of Canada, in his speech from the throne, announced the policy of Confederation to the Canadian Parliament; and in the autumn of that year, when my noble Friend (the Earl of Derby) was in office, delegates from that Province came to this country to consult with Her Majesty's Government upon the subject. But matters were not then ripe, and it was not till 1864 that the first decided step was taken in furtherance of the proposal. In September of that year delegates from all the Maritime Provinces, including Newfoundland and Prince Edward's Island, were assembled at Charlotteville to discuss the terms of a possible union of those Provinces alone; when the Canadian Parliament intervened and gave to the design a grander character by deputing representatives to propose the Confederation of all the British North American Colonies. The conference of Charlotteville was adjourned to Quebec, and there, in the month of October, those resolutions were drawn up which have since become famous under the name of "the Quebec Resolutions," and which, with some slight changes, form the basis of the measure that I have now the honour to submit to Parliament. To those resolutions all the British Provinces in North America were, as I have said, consenting parties, and the measure founded upon them must be accepted as a treaty of union. Since then, Newfoundland and Prince Edward's Island have withdrawn from the union; and this Bill embraces only the Provinces of Upper and Lower Canada, of Nova Scotia, and New Brunswick. The time, indeed, will come before long, I cannot doubt, when Newfoundland and Prince Edward's Island will gravitate towards the common centre of this Confederation. Every consideration of policy and interest will lead them towards this conclusion. The time also is not distant when the broad and fertile districts to the west of Canada, now under the rule of a trading Company, will form part of the Confederation—perhaps it is not very far distant when even British Columbia and Vancouver's Island may be incorporated, and one single system of English law and commerce and policy extend from the Atlantic to the Pacific. Meanwhile let no one think lightly of the present proposed union, curtailed though it be of its original proportions. It will in area comprise some 400,000 square miles, or more than four times the size of England and Scotland; it will in population contain about 4,000,000 souls, of whom 650,000 were, at the last Census of 1861, men between twenty and sixty years of age, capable of bearing arms in defence of their country; and in revenue it possesses some £3,000,000.

The Bill opens by reciting the desire of the several Provinces to be federally united. It proceeds to invest the Crown with all Executive powers, by land and sea, for civil administration, and military defence. It proceeds to provide for the appointment of a Governor General—an officer charged with the duty of protecting Imperial interests, named by and responsible to the Crown. He will constitute the chief, if not the only, direct link by which the united Provinces will be connected with this country. His position will be one of dignity and station, equal in all ways to its Imperial importance, and a salary of £10,000 is by a clause in this Bill made a permanent third charge upon the general revenues. It is the desire of the Provinces to retain their separate and individual organization, and they will therefore be severally administered by Lieutenant Governors. At present these officers are appointed by the Crown; but henceforward they will receive their offices at the hands of the Governor General, acting under the advice of his Ministers. They will hold office during pleasure, though they will be subject to removal only on cause being shown, and under ordinary circumstances the term of their administration will be limited to five years.

I come now to the Legislature which it is proposed to create under this Bill. It is two-fold—a Central Parliament and Local Legislatures in each Province. I will deal with the Central Parliament first. It will be composed of two Chambers—an Upper Chamber, to be styled the Senate, and a Lower Chamber, to be termed, in affectionate remembrance of some of the best and noblest traditions of English history, the House of Commons. Of all problems to be solved in the creation of a Colonial Constitution, none is more difficult than the composition of an Upper House. This House is generally assumed to be the model—it would probably be hard to find a worthier or higher model—and men labour to re-produce the English House of Lords amongst English colonists, animated, it is true, by English instincts and feelings, but placed under social conditions which are wholly different. The materials for such a House are absolutely wanting in the colonies. The hereditary title to legislate, the great wealth, the large territorial property, the immemorial prescription, and the respect which has been for generations freely accorded to this ancient institution, have no place in the ideas of a young community. To attempt, therefore, a close and minute imitation of the English House of Lords is, I think, to court failure. There are, in my opinion, two broad principles to be kept in view in the creation of a Colonial Chamber: first, that it should be strong enough to maintain its own opinion, and to resist the sudden gusts of popular feeling; secondly, that it should not be so strong that it should be impenetrable to public sentiment, and therefore out of harmony with the other branch of the Legislature. These are conditions difficult under the most favourable circumstances to secure; but they are complicated in this instance by a third, which has been made a fundamental principle of the measure by the several contracting parties, and the object of which is to provide for a permanent representation and protection of sectional interests. I will briefly explain how far these three considerations appear to me to have been met in this Bill. The Senate will consist of seventy-two Members, the four Provinces being for this purpose divided into three sections, of which Upper Canada will be one, Lower Canada one, and the Maritime Provinces one. From each of these three sections an equal number of twenty-four Members will be returned. They will be nominated by the Governor General in Council for life. But as it is obvious that the principle of life nomination, combined with a fixed number of Members, might render a difference of opinion between the two Houses a question almost insoluble under many years, and might bring about what is popularly known as a Legislative dead-lock, a power is conferred upon the Crown—a power, I need not say, that would only be exercised under exceptional and very grave circumstances—to add six Members to the Senate, subject to a restriction that those six Members shall be taken equally from the three sections, so as in no way to disturb their relative strength, and that the next vacancies shall not be filled up until the Senate is reduced to its normal number. It may, perhaps, be said that the addition of six Members will be insufficient to obviate the Legislative discord against which we desire to provide. I am free to confess that I could have wished that the margin had been broader. At the same time, the average vacancies which have of recent years occurred in the nominated portion of the present Legislative Council of Canada, go far to show that, even in the ordinary course of events, the succession of Members will be rapid. I have received on this subject a Return which will be interesting. In 1856, forty-two Members answered to the call of the House, in 1858 there were but thirty-five, and in 1862 only twenty-five. Thus in six years no less than seventeen vacancies had occurred, showing an average of nearly three every year. When, therefore, a power on the part of the Crown to create six additional Members is supplemented by so large and so regular a change in the constitution of the Senate, it may be hoped that enough is done to maintain the Legislative harmony of the two Houses.

Your Lordships will observe that by the 25th clause security is given that the first list of Senators shall not be nominated under partisan influences. Their names will be a matter of careful agreement, to be submitted to and confirmed by the Crown, and to form part of the Proclamation of Union. The qualifications which are annexed to the office of Senator are not numerous, but they are important. He is to be of thirty years of age—and probably the average age will considerably exceed this—he must be a subject of Her Majesty—he must have a continuous real property qualification of 4,000 dollars over and above all debts and liabilities, and a continuous residence in the Province which he represents. On the other hand, he will become subject to disqualification if he fails in his attendance for two consecutive Sessions, if he takes an oath of allegiance to any foreign Power, if he is insolvent or convicted of crime, or if he ceases to be qualified in respect either of his property or his residence in his Province. There are some further details of procedure which are provided for, but which only need a general mention. The Speaker will be nominated by the Governor General on the part of the Crown, a quorum of fifteen will be required, and whenever the Members present are equally divided, the presumption—in imitation of the rule of this House—will be for the negative.

I now come to the constitution of the House of Commons. The principle upon which the Senate is constructed is, as I have explained, the representation and the protection of sectional interests. The principle upon which the House of Commons is founded is that of a representation in accordance with population. It will not be, indeed, a representation of mere numbers distributed equally in electoral districts; but whilst population is made the basis of representation, each Province will have its own number of representatives in proportion to their own population, and in proportion also to the population and representatives conjoined of their neighbours. Unlike other popular Assemblies, the Canadian House of Commons will be a variable number; but it will vary by reference to a particular standard. That standard will be given by Lower Canada, which is to retain its present quota of sixty-five Members, and will in fact be the proportion which those sixty-five Members bear to the population of the Province. If Lower Canada, with a population of 1,100,000, has sixty-five Members, Upper Canada, with a population of nearly 1,500,000, will have eighty-two Members. It may, indeed, happen that an increase of the total numbers of the House may become necessary. Power is reserved for this contingency; but in such case the increase will be regulated in all the other Provinces by reference to the number of Members representing Lower Canada, and by the proportion between those Members and the population in that Province. But as the representation of population will be based upon the census, there will be a decennial re-adjustment of it. And this leads me to observe that the Parliaments of British North America will be quinquennial. That decision was not, I believe, adopted without some debate. On the one side there was the precedent of the English Constitution; on the other, there was the example of the recent New Zealand Constitution, and the fact that the average duration of British Parliaments can hardly in recent times be said to exceed five years. Of the twenty-one Parliaments from the accession of George I. to that of William IV., comprising a period of 115 years, the average duration was under five years and a half; and of the ten Parliaments from the accession of William IV. to 1865, comprising a period of thirty-five years, the average duration has been three years and a half. Whilst in the last century no less than seven Parliaments attained the term of six years, in the present only two Parliaments have had so protracted an existence.

The Local Legislatures to be established in each Province stand next in order; and my task here is easy; for whilst the provisions regulating the constitution of the central Parliament are in the nature of permanent enactments, those which govern the Local Legislatures will be subject to amendment by those bodies. This portion, therefore, of the Bill is intended to provide the temporary machinery by which each Province will be enabled to enter upon its new life and political duties. I ought, however, to observe that in Nova Scotia and New Brunswick no material change will take place. The existing Parliaments in those provinces become the Provincial Legislatures, with their constitutions, their constituencies, and their local machinery unaltered. In Canada, the division of the Province has necessitated the creation of two Legislatures; but the clauses that provide for them are little more than a transcript of a vote agreed to by the Canadian Parliament in their last Session, in anticipation of this adjustment. In Lower Canada there will be a Legislative Council, of which the Members will be nominated for life, and an Assembly: in Upper Canada there will be but one Chamber for the management of local business.

My Lords, I now pass to that which is, perhaps, the most delicate and the most important part of this measure—the distribution of powers between the Central Parliament and the local authorities. In this is, I think, comprised the main theory and constitution of Federal Government; on this depends the practical working of the new system. And here we navigate a sea of difficulties. There are rocks on the right hand and on the left. If, on the one hand, the Central Government be too strong, then there is risk that it may absorb the local action and that wholesome self-government by the provincial bodies, which it is a matter both of good faith, and political expediency to maintain: if, on the other hand, the Central Government is not strong enough, then arises a conflict of State rights and pretensions, cohesion is destroyed, and the effective vigour of the central authority is encroached upon. The real object which we have in view is to give to the Central Government those high functions and almost sovereign powers by which general principles and uniformity of legislation may be secured in those questions that are of common import to all the Provinces; and, at the same time, to retain for each Province so ample a measure of municipal liberty and self-government as will allow and indeed compel them to exercise those local powers which they can exercise with great advantage to the community. In Australia there is at present a tendency towards the disintegration of the vast territories which are called colonies, because those who live at great distances on their extreme borders complain that they cannot obtain from the Central Parliaments the attention which they require. In New Zealand, on the other hand, an attempt—and not without success—has been made to combine considerable local powers with a general Government at the centre.

In this Bill the division of powers has been mainly effected by a distinct classification. That classification is fourfold. 1st, those subjects of legislation which are attributed to the Central Parliament exclusively; 2nd, those which belong to the Provincial Legislatures exclusively; 3rd, those which are subjects of concurrent legislation; and 4th, a particular question which is dealt with exceptionally. To the Central Parliament belong all questions of the public debt or property, all regulations with regard to trade or commerce, customs and excise, loans, the raising of revenue by any mode or system of taxation, all provisions as to currency, coinage, banking, postal arrangements, the regulation of the census, and the issue and collection of statistics. To the Central Parliament will also be assigned the enactment of criminal law. The administration of it indeed is vested in the local authorities; but the power of general legislation is very properly reserved for the Central Parliament. And in this I cannot but note a wise departure from the system pursued in the United States, where each State is competent to deal as it may please with its criminal code, and where an offence may be visited with one penalty in the State of New York, and with another in the State of Virginia. The system here proposed is, I believe, a better and safer one; and I trust that before very long the criminal law of the four Provinces may be assimilated—and assimilated, I will add, upon the basis of English procedure. Lastly, the fisheries, the navigation and shipping, the quarantine regulations, the lighting of the coast, and the general question of naval and military defence, will be placed under the exclusive control of the Central Government.

The principal subjects reserved to the Local Legislatures are the sale and management of the public lands, the control of their hospitals, asylums, charitable and municipal institutions, and the raising of money by means of direct taxation. The several Provinces, which are now free to raise a revenue as they may think fit, surrender to the Central Parliament all powers under this head except that of direct taxation. Lastly, and in conformity with all recent colonial legislation, the Provincial

Legislatures are empowered to amend their own constitutions. But there is, as I have said, a concurrent power of legislation to be exercised by the Central and the Local Parliaments. It extends over three separate subjects—immigration, agriculture, public works. Of these the two first will in most cases probably be treated by the Provincial authorities. They are subjects which in their ordinary character are local; but it is possible that they may have, under the changing circumstances of a young country, a more general bearing, and therefore a discretionary power of interference is wisely reserved to the Central Parliament. Public works fall into two classes: First, those which are purely local, such as roads and bridges, and municipal buildings—and these belong not only as a matter of right, but also as a matter of duty, to the local authorities. Secondly, there are public works which, though possibly situated in a single Province, such as telegraphs, and canals, and railways, are yet of common import and value to the entire Confederation, and over these it is clearly right that the Central Government should exercise a controlling authority.

Lastly, in the 93rd clause, which contains the exceptional provisions to which I referred, your Lordships will observe some rather complicated arrangements in reference to education. I need hardly say that that great question gives rise to nearly as much earnestness and division of opinion on that as on this side of the Atlantic. This clause has been framed after long and anxious controversy, in which all parties have been represented, and on conditions to which all have given their consent. It is an understanding which, as it only concerns the local interests affected, is not one that Parliament would be willing to disturb, even if in the opinion of Parliament it were susceptible of amendment; but I am bound to add, as the expression of my own opinion, that the terms of the agreement appear to me to be equitable and judicious. For the object of the clause is to secure to the religious minority of one Province the same rights, privileges, and protection, which the religious minority of another Province may enjoy. The Roman Catholic minority of Upper Canada, the Protestant minority of Lower Canada, and the Roman Catholic minority of the Maritime Provinces, will thus stand on a footing of entire equality. But in the event of any wrong at the hand of the local majority, the minority have a right of appeal to the Governor General in Council, and may claim the application of any remedial laws that may be necessary from the Central Parliament of the Confederation.

In closing my observations upon the distribution of powers, I ought to point out that just as the authority of the Central Parliament will prevail whenever it may come into conflict with the Local Legislatures, so the residue of legislation, if any, unprovided for in the specific classification which I have explained, will belong to the central body. It will be seen, under the 91st clause, that the classification is not intended "to restrict the generality" of the powers previously given to the Central Parliament, and that those powers extend to all laws made "for the peace, order, and good government" of the Confederation—terms which, according to all precedent, will, I understand, carry with them an ample measure of legislative authority. I will add, that whilst all general Acts will follow the usual conditions of colonial legislation, and will be confirmed, disallowed, or reserved for Her Majesty's pleasure by the Governor General, the Acts passed by the Local Legislature will be transmitted only to the Governor General, and be subject to disallowance by him within the space of one twelvemonth.

Clauses 102-126 regulate the conditions, pecuniary, and commercial, upon which the Provinces enter into union. They are so entirely matter of local detail and agreement, that I need not weary the House with any minute statement of them. It is enough to say that under them a consolidated fund is created, and that whilst lands and minerals are reserved to the several Provinces, the assets, property, debts, and liabilities of each will be transferred to the central body. By this agreement the public creditor who exchanges the security of each separate Province for the joint security of the four Provinces confederated, will find his position improved rather than deteriorated. As between the Provinces, it is proposed that the Local Legislatures should surrender to the Central Parliament all powers of raising revenue except by direct taxation. In return for this concession the Central Government will remit to the Local Legislatures certain fixed sums and a proportionate capitation payment, in order to enable them more conveniently to defray the costs of local administration. The debt of each Province has been fixed at a certain sum calculated; but if in the interval between the present time and the proclamation of Union that debt should be increased, the Province so exceeding will pay interest on the excess, and that interest will be deducted from the quota which they would otherwise receive from the central authority. In the same category must be placed the 145th clause, which makes it the duty of the Central Parliament and Government to provide for the commencement of the Intercolonial Railway within six months of the union. Such an undertaking was part of the compact between the several Provinces, and it was an indispensable condition on the part of New Brunswick. Successive Governments at home have entertained the scheme and have pledged themselves to the promise of more or less assistance. Meanwhile I will not now enter upon its details, because very shortly a further measure involving the consideration of pecuniary support must come before Parliament.

There is, indeed, a question of great importance and intimately connected with the future fortunes of the Confederated Provinces, and I may perhaps be asked why it finds no place in this measure. My Lords, I am fully alive to the urgent importance of coming to some settlement of the Hudson Bay Company's claims. The progress of American colonization on the West, the Confederation of the Provinces on the East, render an early decision necessary. But till this union is completed it would be a waste of time to discuss the relations of the Hudson Bay Company's territories to the Provinces. When once this Bill becomes law, it will be the duty of Her Majesty's Government not to lose one day unnecessarily in dealing with this great subject.

Having thus stated the main provisions of this measure, I have only to add the designation of this new State to which we are about to give a distinct life and organization. It may seem a trifling question; but it has, in truth, been one neither unimportant nor free from difficulties. To the representatives of the Maritime Provinces belongs the credit of waiving local rights and pretensions; and they have felt the advantage of accepting a name not less familiar to the English labourer and artizan than it is distinguished by honourable traditions. Her Majesty has been pleased to express her approval of the name, and henceforth the United Provinces will be known as the "Dominion of Canada"—a designation which is a graceful tribute on the part of colonists to the monarchical principle under which they have lived and prospered, and which they trust to transmit unimpaired to their children's children. Whilst the individual Provinces of Nova Scotia and New Brunswick retain their present designation, Upper Canada will become the Province of Ontario, and Lower Canada the Province of Quebec.

I have now stated the general principles upon which this measure is founded. But to so large a scheme, as might naturally be expected, objections have been made; and these objections, or some of them, it is my duty to indicate. And first, it has been urged that this Union should have been a legislative rather than a federal one. I admit, to a certain extent, the validity of the objection. When Upper and Lower Canada where connected in a legislative Union, Lord Durham distinctly contemplated a sinilar incorporation of the Maritime Provinces. Nor are there wanting to this opinion many of the ablest of Canadian statesmen. But the answer is simply this—that a legislative Union is, under existing circumstances, impracticable. The Maritime Provinces are ill-disposed to surrender their separate life, and to merge their individuality in the political organization of the general body. It is in their case impossible, even if it were desirable, by a stroke of the pen to bring about a complete assimilation of their institutions to those of their neighbours. Lower Canada, too, is jealous, as she is deservedly proud, of her ancestral customs and traditions; she is wedded to her peculiar institutions, and will enter this Union only upon the distinct understanding that she retains them. The 42nd Article of the Treaty of Capitulation in 1760, when Canada was ceded by the Marquis de Vaudreuil to General Amhurst, runs thus—

> "Les François et Canadiens continueront d'être gouvernés suivant la Coutume de Paris et les loix et usages établis pour ce pays."

The Coutume de Paris is still the accepted basis of their Civil Code, and their national institutions have been alike respected by their fellow-subjects and cherished by themselves. And it is with these feelings and on these terms that Lower Canada now consents to enter this Confederation.

But it has been objected that this union of Provinces will be a kingdom, not a Confederation, and that being an embodiment of the monarchical principle, it will Constitute a challenge, to our powerful republican neighbour across the border. Now I am a loss to understand how these Provinces, when united, can be one whit more or whit less of a kingdom than when separate. There will be, with some few modifications, the same institutions, the same forms of government, and even the same men to give life and movement to them. It is but a development of the existing system. But whilst it is attacked by one critic as too monarchical in its character, it is assailed by another as too Republican, and we are warned that it must ere long on American soil become a Republic, and lead to the dismemberment of the Empire. Now I do not see special cause for apprehension from republican any more than from monarchical dangers; but I must submit that, at all events, the two allegations are fatally inconsistent with each other.

Again, it has been said that this great scheme owes its origin to the lust of territorial dominion on the part of one State, and that it is solely referable to the overweening ambition of Canada to exercise a supremacy over her sister Provinces. For this allegation I cannot see the smallest groundwork of argument; and, looking to the past history and the ordinary probabilities of these colonies, I can conceive nothing more unlikely than a combination of Upper and Lower Canada as against the Maritime Provinces. If, indeed, any one of these Provinces has a reasonable ground for apprehension, it is Lower Canada, with its distinct race and language and institutions, rather than Nova Scotia and New Brunswick, which are in all essentials so akin to the great and populous Province of Upper Canada. But whilst this large scheme of union has been attributed to the desire of political supremacy on the part of Canada, it is in the same breath referred to the irreconcilable differences which are supposed to have divided Upper and Lower Canada. I believe, for my own part, that those differences have been greatly exaggerated; but anyhow it is clear that the two objections cannot both be correct. They destroy each other. And this, indeed, I may observe, is the case with several other objections that have been urged; as when, in England, we are told that the object of this scheme is the imposition of fresh burdens upon the mother country, and, in America, that its object will be the imposition of pecuniary charges upon the Maritime Provinces.

My Lords, I must not pass over another and a plausible objection to the policy of this measure. It is said that, whilst the commercial policy of Canada has been of a Protectionist, that of the Maritime Provinces has been of a more Liberal character; and it is further argued that, when once the union of these Provinces shall be accomplished, the restrictive system of Canada will become uniform, and that we shall find ourselves excluded from the comparatively free markets which we have hitherto enjoyed. A Canadian would probably reply to this that the high tariff of Canada has been due to the necessities of the revenue rather than to a desire to foster her own industry. Of this we can be no judge; we can only accept the facts as we find them; but on those facts there is, as I think, an answer worthy of the attention of this House. Whatever may have formerly been the case, it is now unfair to draw a strong distinction between the commercial policies of Canada and of the Lower Provinces. Canada is by no means unanimous in her desire for Protectionist measures. On the contrary, the Canadian tariff has recently been brought into far greater harmony with that of this country. I understand that the duties on all manufactured articles—such as cottons, woollens, and leather—have been reduced in some cases from 25, but in all from 20 to 15 per cent. Partially-manufactured articles—such as bar-iron, tin, &c., which were formerly charged with a 10 per cent duty—now come in free; and lastly, all raw materials are exempt from duty. On the other hand, the reductions in the revenue due to these changes have been made good by stamps, by an increase of the Excise, and by duties on tea, sugar, and wines. Of these I may mention that the duty on tea is 4½*d.* per lb., and therefore very close upon that which exists here; that as regards sugar, they have adopted the same duties and the same system; whilst in the case of wines they have followed the same system, with this difference, that their duties are 60 per cent lower than our own. Such, indeed, has been the reduction effected, that the Canadian tariff, whilst still considerably in excess of the Nova Scotian, is less than that of New Brunswick. And, therefore, we have some right to hope that a Free Trade rather than a Protectionist policy will be the result of the union of Canada with the Lower Provinces. But if even it were otherwise, I could never ask this House to bargain with Canada, and to withhold its consent to a measure on which the hearts of our colonists and fellow-subjects are set, until they had adjusted their tariff to our liking. We must rather trust to time and the prevailing strength of our own commercial principles to induce the

Provinces to adopt that view which is most consistent with our policy, and, as I believe, with their interests. I do not doubt what their choice will be ; for, apart from other considerations, so long as the United States think it desirable to hem themselves in with the bounties and restrictions of a jealously protective system, so long it will be the obvious interest of British North America to open her ports to the free entrance of commerce.

I have now come to the last, but also the gravest, objection which has been raised. It is an objection which I cannot indeed admit, but to which I will endeavour to do justice. It is represented that this measure, which purports to rest upon the free consent of the various contracting parties, is distasteful to a large portion, if not a majority, of the inhabitants of Nova Scotia. My Lords, it has been the duty of Her Majesty's Government to weigh seriously the value of this objection. I am told that a petition will be presented in the House of Commons; but none has been laid, or, as far as I know, will be laid, on the table of this House. There are, however, petitions against this union, which will be found in the recent papers that have been presented to Parliament. They are often drawn up with considerable ability; but they bear the mark, I think, of a single hand, and, though they profess to emanate from public meetings in the different counties of Nova Scotia, they are—I believe, with one exception—signed by the Chairman alone, and give no evidence of the number or the class of the petitioners. As against this, we have to consider, first, that both Upper and Lower Canada have —I may almost say unanimously—expressed their concurrence in the proposed Confederation; and that New Brunswick has given in her formal adhesion. And what as to Nova Scotia? Why, in 1861, the Assembly of that Province agreed to a resolution in favour of Confederation in general terms, and that resolution was transmitted to the Home Government. In 1863 the Nova Scotian Legislature was dissolved, and the Parliament then returned is still in existence. That Parliament, last summer, agreed to a vote in favour of Confederation in most definite and yet comprehensive terms, empowering the delegates now in this country to negotiate with Her Majesty's Government the conditions of Union. My Lords, I do not see how it is possible to look behind that vote, and what better guarantee we can have of the real feelings of the people of Nova Scotia. I cannot, after this, consent to enter upon a discussion of the motives or policy of this or that Colonial Minister. We have not the materials for forming a judgment; we can only accept the deliberate and formal opinion of the Legislature as the expression of the public feeling. Nor are the delegates, who are now in England, men selected from any one party in the Province. They represent both the Colonial Government and the Colonial Opposition. But, then, I may be told that the opposition is not so much to the measure itself as to the time at which it is being passed; and that the opponents desire that its ratification should be deferred until a new Parliament in Nova Scotia shall have expressed its opinion upon the question. But my answer to this must be, that the present Nova Scotian Parliament is fully competent to deal with the subject. Its members are representatives, not delegates, of the constituencies. When, last year, the Legislature of Jamaica voted away the former constitution of the island, Parliament did not hesitate to accept that surrender, and to place the colony under the direct control of the Crown. Neither the people nor the Legislature of Nova Scotia have been taken by surprise. Ever since 1858 the question of a more intimate consolidation of Provincial interests has been before the public mind. The plea for delay is in reality a plea for indefinite postponement, and to this I do not believe that Parliament will lend its ear. This measure has been purchased at the cost of great personal and local interests, and if we now remit it—I care not on what pretence—to the further consideration of the Province, we deliberately invite opposition; and we may be sure that many years will pass over before another such proposal for Confederation is submitted to Parliament.

My Lords, these objections come too late, for it is not the question of one, but of four great Provinces. If, indeed, we were to wait till every individual in those Provinces were agreed, we might wait for ever. To such a scheme as this there must, in the nature of things, be opposition. If ever the union of two countries was of public benefit, it was the union of Scotland and England; and yet when every circumstance of the time called imperatively for that union there were many who hesitated. The calmest and most philosophic of modern historians has said that—

"The measure was so hazardous an experiment that every lover of his country must have consented to it in trembling, or revolted from it in disgust."

That union was, nevertheless, accomplished, and so fraught with blessings has it been, that we now wonder that the two nations could so long have remained separate.

I have thus stated some of the principal objections which have been urged to this measure, and have briefly indicated the answers to them. Let me now review some of the advantages which may be reasonably anticipated. And first, I hope that this measure may well and effectually compose some of those complaints which from time to time must arise out of such an union as that which at present subsists between Upper and Lower Canada. It has, for instance, been said, that whilst Upper Canada possesses the largest population, she has only an equal voice in the representation of their common interests in the joint Legislature. But this inequality will be redressed by the principle of representation according to population, upon which the House of Commons is to be constituted. Nor will Upper Canada gain unduly by this arrangement; for whilst her interests will be protected by a representation in accordance with population in the Lower House, the interests of Lower Canada will be guarded by an equality of the sectional votes in the Upper House. Again, it has been said that whilst Upper Canada contributes the larger share of taxation, Lower Canada enjoys more than her just portion of the public expenditure. That allegation, whether well or ill-founded, also finds its answer in this Bill. Henceforward, apart from the revenue raised for the common purposes of the Confederation, local taxation and expenditure will depend upon the local authorities. Thus, all those complaints which must arise under the circumstances of such an union as that which now exists —complaints of partiality, of neglect, of mismanagement of roads, bridges, and those public works which are the very life of a young community, must cease. All local works will devolve upon local authorities, who in turn will be responsible to the taxpayers. This is, indeed, the principle which we recognise in the management of our own county and borough affairs; and if it should be said that Parliament undertakes a wider control in England than is contemplated by this Bill in the confederated Provinces, I reply first, that there is a difference in the management of local affairs by a central body between a country which contains 100,000 square miles, and one which now contains 400,000, and may one day contain 3,400,000 square miles; and, secondly, that the lesson, which the English Parliament affords us in this matter, is a lesson rather of warning than of encouragement. These are perhaps negative merits. For the positive advantages, let anyone look at the map and observe how bountifully nature has lavished her gifts upon that country. But nature, true to her constant rule, does not there shower those gifts upon one part to the exclusion of another. In the Eastern districts there are not only coasts indented with harbours and fisheries, which, unless man greatly misuse them, may be called inexhaustible, but minerals, gold, and—that which is more precious than gold—rich beds of coal. As the traveller goes westward, he finds a country rich in timber, in grain, in iron, lead, and copper, a country well fitted for manufacturing prosperity, and already known for its breed of sheep, and cattle, and horses; and when he passes the westernmost frontier of Canada, he sees before him fertile plains as yet unsettled, stretching along the valley of the Saskatchewan, up to the roots of the rocky mountains. Now these districts, which it may almost be said that nature designed as one, men have divided into many by artificial lines of separation. The Maritime Provinces need the agricultural products and the manufacturing skill of Canada, and Canada needs harbours on the coast and a connection with the sea. That connection, indeed, she has, during the summer, by one of the noblest highways that a nation could desire, the broad stream of the St. Lawrence; but in winter henceforth she will have it by the intercolonial railway. At present there is but a scanty interchange of the manufacturing, mining, and agricultural resources of these several Provinces. They stand to each other almost in the relation of foreign States. Hostile Custom Houses guard the frontiers, and adverse tariffs choke up the channels of intercolonial trade. There is no uniformity of banking, no common system of weights and measures, no identity of postal arrangements. The very currencies differ. In Canada the pound or the dollar are legal tender. In Nova Scotia the Peruvian, Mexican, Columbian dollars are all legal; in New Brunswick, British and American coins are recognised by law, though I believe that the shilling is taken at twenty-four cents, which is less than its value; in Newfoundland Peruvian, Mexican, Columbian, old Spanish dollars, are all equally legal; whilst in Prince Edward's Island the complexity of currencies and of their relative value is even greater. Such then being the case, I can hardly understand that any one should seriously dispute the advantage of consolidating these different resources, and interests, and incidents of government under one common and manageable system.

But there is yet another advantage to be gained from that union, to which I must call the attention of the House. The question of military defence is a somewhat delicate one on which to touch. Military defence supposes war, and war in that part of the world could only be with that great Republic which lies south of our border. Such a war between men of a common race and language, and in many respects of common institutions, would be an unnatural and detestable conflict, which would entail upon each incalculable injuries, and perhaps throw back for years the course of civilization and human prosperity. It is, however, our duty in dealing with this great question to deal with it fully, and not to evade a consideration so important as that of military defence. We are constantly reminded of the difficulties of defending the long frontier of Canada with a distant base of operations. Every reasonable man will admit those difficulties ; nor do I see any object in underrating them. At the same time, we have high and competent military authority to warrant us in believing that, with proper precautions and with the spirit of courage and loyalty which has animated the Canadian people, the defence of Canada is no insoluble problem. Again, we are told that the proportions of military expenditure are not fairly adjusted between the mother country and Canada. Well, I think that the time has probably come for a re-consideration of those charges ; and to that opinion there are many in Canada who will subscribe. I am confident that Canada desires only that which is reasonable, that which she may in honour ask, and in honour accept of this country. There has been a good deal of misunderstanding on this subject, and Canada has been supposed to be backward in defraying the expenses of her own defence. But out of the 425,000 militia who are on paper, 90,000 have six days' drill in the year ; and that besides these, there are from 30,000 to 35,000 Volunteers, who have undergone considerable training, and have attained much efficiency. There are drill associations in the various towns ; there have been camps of instruction, and more than 3,000 cadets have within the last two years passed an examination by the military authorities, and have received certificates either of the first or second class. I will only add, that whilst the military expenditure in Canada was in 1864 about 300,000 dollars, it was in 1865 nearly 900,000 dollars, and in 1866 more than 2,000,000 dollars. By the Census of 1861, it was computed that the men between the ages of twenty and sixty, supposed to be capable of bearing arms, were—

In Upper Canada . . .	308,000
,, Lower Canada . . .	225,000
,, Nova Scotia . . .	67,000
,, New Brunswick . .	51,000
	651,000

These are now fixed to their respective Provinces, and engaged, as a matter both of duty and sentiment, to the exclusive defence of that Province. But when Confederation is accomplished these scattered forces will become one army under the command and, in the event of emergency, at the disposal of one single general.

But if the advantages of union are great in a military, a commercial, a material point of view, they are not, I think, less in the moral and political aspect of the question. When once existing restrictions are removed, and the schools, the law courts, the professions, the industries of these great Provinces are thrown open from one end to another, depend upon it a stimulus greater than any that has ever been known before in British North America will be applied to every form of mental or moral energy. Nor will it be the main body of the people that will alone feel this. The tone of Parliament, the standard of the Government will necessarily rise. Colonial institutions are framed upon the model of England. But English institutions, as we all know, need to be of a certain size. Public opinion is the basis of Parliamentary life ; and the first condition of public opinion is that it should move in no contracted circle. It would not be difficult to show that almost in proportion to its narrowness Colonial Governments have been subject to disturbing influences. But now, independently of the fact that in these confederated Provinces there will henceforth be a larger material whence an adequate supply of colonial administrations and colonial oppositions can be drawn, it is not, I think, unreasonable to hope that, just as the sphere of action is enlarged.

[☞ T 9, *p.* 576 *a follows.*

the vestry element will be discarded, large questions will be discussed with the gravity which belongs to them, men will rise to a full sense of their position as Members of a great Parliament, and will transmit their own sense of increased responsibility and self-respect through Parliament and the Government to the main body of the people.

My Lords, I have now touched upon the main features of this measure. I have only in conclusion to say a few words as to the principle upon which it is founded. I know that objections are sometimes made to the principle of a federative Government. It is true that no federation can be as compact as a single homogeneous State, though the compactness will vary with the strength or weakness of the Central Government. It is true that federation may be comparatively a loose bond, but the alternative is no bond at all. It is not every nation, or every stage of the national existence, that admits of a federative Government. Federation is only possible under certain conditions, when the States to be federated are so far akin that they can be united, and yet so far dissimilar that they cannot be fused into one single body politic. And this I believe to be the present condition of the Provinces of British North America. Again, it is said that federation is a compromise, and, like all compromises, contains the germ of future disunion. It is true that it is a compromise, so far as it is founded upon the consent of the Provinces; it is true that it has been rendered possible by the surrender of certain powers, rights, and pretensions by the several Provinces into the hands of the central authority; but it is also to be remembered that—unlike every other federation that has existed—it derives its political existence from an external authority, from that which is the recognised source of power and right — the British Crown. And I cannot but recognise in this some security against those conflicts of State rights and central authority which in other federations have sometimes proved so disastrous.

There have been but few examples of federative Governments. Republics and kingdoms there have been many that have played great parts; but the federative Governments in the world's history may be easily counted. There have been but four which can be fairly called famous. Two are no more—two exist. Of these, one—Switzerland—is the smallest amongst the families of modern Europe; the other—the United States—is one of the greatest of the Great Powers of the world. In geographical area this Confederation of the British North American Provinces is even now large—it may become one day second only in extent to the vast territories of Russia—and in population, in revenue, in trade, in shipping, it is superior to the thirteen colonies when, not a century ago, in the Declaration of Independence, they became the United States of America. We are laying the foundation of a great State—perhaps one which at a future day may even overshadow this country. But, come what may, we shall rejoice that we have shown neither indifference to their wishes nor jealousy of their aspirations, but that we honestly and sincerely, to the utmost of our power and knowledge, fostered their growth, recognising in it the conditions of our own greatness. We are in this measure setting the crown to the free institutions which more than a quarter of a century ago we gave them, and therein we remove, as I firmly believe, all possibilities of future jealousy or misunderstanding—

"*Magna* sub ingenti Matris se subjicit umbrâ."

Moved, "That the Bill be now read 2ª."—(*The Earl of Carnarvon.*)

THE MARQUESS OF NORMANBY said, the noble Earl the Secretary for the Colonies had so exhausted the subject that it was unnecessary to add but a few remarks to what had been said already. He should, therefore, confine his observations to the military advantages which he believed this union was calculated to confer on the North American Provinces, and answer some of the objections that had been made to the scheme in Nova Scotia. Some people in this country were of opinion that England derived no benefit from these colonies; that they were rather a source of burden and expense, and that there was consequently no need for maintaining the close connection at present existing between them and the mother country. That was not the feeling with which he intended to address himself to this subject; nor was it the feeling of the vast majority of the people in this country, nor of their Lordships, nor of the colonists themselves. Were the British North American colonies in a position to stand alone—were they anxious or willing for separation from this country, were their feelings or inclinations such as to lead them to seek amalgamation with the United States—he did not think that it would be wise for us to use coercive measures to prevent them. But so long as they were loyal —so long as they looked upon their connection with the mother country and the institutions which they at present enjoyed under her rule as among the greatest blessings they possessed, he believed it was their duty to encourage the feeling and protect their rights and interests to the best of their power. It was perfectly true that in a pecuniary point of view this country derived no profit from her colonies. While in a generous spirit granting them free institutions, and confiding to their own hands the distribution of their revenues and the management of their local affairs, we had up to the present time taken upon ourselves entirely the burden of providing for their defence. It was, however, to be borne in mind that this country had no longer the power, even if she had the will, to provide for such defence. The change in locomotion had so altered North America that it would be impossible to act in this matter now as we had formerly done. He had heard it asserted that Canada could not be defended, but he did not believe it. The colonists were perfectly ready to cooperate with us, and so long as this country maintained her naval supremacy, no fear need be entertained with regard to the maintenance of the coast defences of that colony. The principal enemy Canada would have to fear would be the United States; but he hoped no quarrel would arise to bring the two countries into collision. Every man must cordially hope that war might not arise between the States and this country. Such a war would produce unmitigated evils, and would, in fact, be nothing less than suicidal. But, at the same time, they could not disguise from themselves that the condition of the United States had greatly altered within the last few years. Not long ago her army consisted only of some 10,000 men, but she had now an enormous and well-disciplined force. It therefore well became us to consider how we could best provide for the defences of our British North American Provinces; and he thought it was clear that in no way could these be better provided for than by their union. It might be fairly argued that what had been done in one Province could be done in another. Some account, therefore, of what had been done and what was capable of being done in one at least of our North American Provinces might not be uninteresting. When he first assumed the government of Nova Scotia, in 1858, the entire local force of that country consisted of some fifty or sixty Volunteer artillerymen. Subsequently an opportunity presented itself of raising Volunteer Corps, and at a later period circumstances enabled him to obtain a revision of the militia laws. In 1863, when he left that Province, there were no less than 34,800 men regularly enrolled for drill for five days every year, and since that time matters had greatly improved. Last year there were, he believed, 59,000 men regularly out for drill. He admitted the insufficiency of the drill of these men, but their organization was perfect, their enrolment was good, and their officers effectively trained, being required in every case to pass an examination before receiving their commissions. If Nova Scotia, with a population of 300,000, could produce 50,000 militiamen, he could see no reason why British North America, with a population of 4,000,000, should not produce an enrolled militia of 400,000 or 500,000. Of these a quota could be called out every year for permanent training, so as to keep up the organization of the entire body. With such a force to draw upon in case of need, backed by the support which would be given by this country, there was no reason why Canada should not be able to defend herself effectually. It must be borne in mind that in Canada any campaign must, owing to the necessities of the climate, be limited to six months; moreover, as war with Canada meant war with England, America would be obliged to keep a large force at home for the protection of her own shores. In speaking thus of America he alluded, of course, only to possibilities. No one was more sensible than himself of the serious disadvantages of a war with America; no one could deplore more than he did the miseries which such a war was calculated to entail; and nobody could look with greater interest on the institutions of that country, or entertain a higher sense of her greatness and resources. Turning now to the political part of the question, he would notice some objections that had been urged against the scheme. As regarded Canada and New Brunswick, the importance of the measure now advocated could not be over-estimated. In both these Provinces the proposal for union had been so universally accepted that it was unnecessary to dilate upon it as regarded them. The case of Nova Scotia was, however, he was sorry to say, different. Petitions had been drawn up against the scheme, and

[☞ p. 577 follows.

delegates had been sent over to this country to oppose it. This was the more unreasonable when it was considered that the Maritime Provinces, of which Nova Scotia was one, would derive more benefit from the Confederation than the Canadas themselves. He was one of those who thought originally, and still thought, that it might have been better in the first instance to have formed a separate federation of the Maritime Provinces, by which means time would have been allowed for the softening down of local jealousies, and the way prepared for the eventual formation of a large and compact body. But the question was not now whether there should be a more limited or more extended union, but whether we should have the union at present proposed, or allow the North American Provinces to remain disunited. They were told that nine-tenths of the population of Nova Scotia were against this measure, and that 30,000 signatures had been appended to petitions praying that it should not be carried out. Pamphlets had been published by the opponents to the scheme that it would, if carried out, cause great misery, and ultimately the ruin of Nova Scotia. Their Lordships should bear in mind, however, that it was not an unusual thing across the Atlantic to hear political questions argued in a tone and temper that sounded strangely to the ear, and to see people rather carried away by the force of language than by the arguments conveyed in their language. He had had some experience of the way in which the petitions were got up in Nova Scotia against this measure. When the movement in favour of Confederation gained strength, a gentleman, whom he respected on account of his talents, put himself at the head of a party of opposition and went through the country holding meetings for the purpose of declaiming against the scheme. Nothing is easier than to persuade people they are about to be wronged, that they are to be deprived of their liberties and have their commercial prosperity retarded; so the people responded to the agitation and petitioned against this scheme in vast numbers; but he thought the petitions represented the opinion of the agitators rather than the real feeling of the inhabitants of the country. The arguments of the party of opposition were not directed particularly against this measure, but against all union of our North American Provinces; and the head of the party, it should be stated, was once as much in favour of Confederation as he had latterly been against it; so that his arguments could not be counted of much worth. If it were true that Nova Scotia was likely to be sacrificed for the benefit of Canada he would not lend his support to the Bill; but it was clear that, as the interests of Nova Scotia and New Brunswick were identical, and as those two States possessed a third of the votes of the Senate and a fifth of the House of Commons, they would surely be able, by joining with the ordinary opposition, to obtain a hearing and compel the House to do them justice. If the question were one merely affecting the interests of Nova Scotia the case might be different; but it also affected the interests of the two Canadas, New Brunswick, and this country. Their Lordships were therefore bound to consider the matter not in a local but an Imperial point of view. He believed that the Bill would promote the general good of the British North American Provinces, and he would therefore give it his support.

EARL RUSSELL said, he could not altogether remain silent when a subject of such interest as this engaged their Lordships' attention. It appeared to him that the measure was undoubtedly a wise one. In the first place, the Confederation would facilitate commercial relations with the United States, because it would be far easier for our North American Provinces, when united together, to form agreements which might afterwards be put into treaties than if they were to remain separate. In the second place, it was far better to have a single united authority which could provide for any exigencies that might arise, such as war, than to have the defence left to the separate colonies. In supporting the Bill he must say that the creation of these provinces, so populous and wealthy, redounded greatly to the credit of this country. In 1760, when we obtained Canada by capitulation from the French, there were only 70,000 inhabitants in the colony. At the present day the descendants of the French in Lower Canada alone amounted to nearly 1,000,000, and in Upper Canada the population was 1,500,000. The total population of the Provinces which it was proposed to unite was no less than 4,000,000. He believed that there was no other instance in the history of the world of such a noble colony springing from so small a source. The noble Earl (the Earl of Carnarvon) had said rightly that the measure of Confederation had been long thought of. Lord Durham, in his Report, suggested a similar project; and he remembered speaking about it to Sir James Kemp, at the time Governor of Nova Scotia, who told him that whatever might be its advantages, the difficulty of communication between Upper and Lower Canada was such that it was impossible at that time to entertain the proposal. The difficulty of communication between Canada and New Brunswick which had hitherto existed would be removed by the intercolonial railway which the Provinces had undertaken to construct, and which was to be guaranteed by this country. He believed that that question was to be brought forward in the other House, for the consent of Nova Scotia and New Brunswick to the federation was dependent upon it, and without it the union could not be carried out. He had to express his regret that this was not a legislative instead of a confederate union. He feared that separate local Legislatures would be attended with great inconvenience, and that the work of the Confederation could only be done by a single Legislature. He hoped that in time the leading men of Nova Scotia and New Brunswick would see that it was better to rule over 4,000,000 of people than to be restricted to the Government of their own Provinces, and that they would themselves propose the legislative union which the noble Earl now confessed himself unable to effect. He sincerely hoped that those united Provinces might continue to improve, and that if, in the course of time, they desired to separate from the mother country, and to become a separate State—a circumstance which he did not think at all likely to occur—they would find, as we had always been ready to defend the Canadians as the subjects of Her Majesty, so we should be ready to listen to their wishes should they desire to separate and to form an independent nation.

Lord MONCK said, he hoped their Lordships would permit him to say a few words upon the Bill, considering the share which he had had in its origination. He would at the outset refer to one thing, which appeared to him of great importance in a constitutional point of view. It had been, he thought, most unwarrantably assumed that the Province of Nova Scotia was opposed to the union. Now, he believed that the expression of opinion which had come from Nova Scotia to this country had been entirely got up by a few energetic individuals; but the Legislature of Nova Scotia had, like the Legislatures of the other Provinces, adopted by large majorities the Resolutions proposed to them, and had sent their delegates to this country to take part in the framing of the measure which had been laid on the table. The demands of those gentlemen in Nova Scotia, if they amounted to anything, meant that the question should be subjected to the decision of the people, instead of its being determined by the people's representatives. Such a demand, to his mind, betrayed a great ignorance, not only of the principles of the British Constitution, but of the principles upon which all representative institutions were founded. It was, perhaps, unnecessary to remind their Lordships that in the earliest period of self-government every man was accustomed to give his opinion on matters on which a decision had to be arrived. But with the increase of communities such a thing became practically impossible. By-and-by, when the expedient of popular elections was adopted, the general body of the people had nothing to do with the management of their affairs beyond selecting men in whose intelligence, integrity, and judgment they could place reliance to do their business for them. But they were not dealing with representative government in the abstract; they were acting under the British Constitution, which provided no machinery for testing the opinions of the country upon a measure. Responsible Ministers would scarcely recommend the Crown, for instance, to dissolve the House of Commons when the three Estates of the realm were in harmony. They would have, he believed, no right to look to any further expression of opinion. Therefore, he did not think that those gentlemen had any right to dispute the decision of the constitutionally appointed Legislature, but that, as the Legislature had decided in favour of the union, they were bound to accept their decision as final. But that was not the first time that such a point had been raised. It was raised in reference to the union with Ireland, and Mr. Pitt denounced in the strongest terms any attempt of the kind as a dangerous constitutional precedent. It was also suggested in 1846 that Sir Robert Peel should dissolve the House of Commons in order to ascertain the opinion of the people on the proposed repeal of the Corn Laws, and the proposition was treated by him in a similar manner.

Such a proposition was, in reality, little short of revolutionary. He would not trouble their Lordships with any arguments derived from the benefits which were likely to accrue to the colonies themselves from the proposed change, as the subject had been so ably dwelt upon by the noble Earl who had introduced the measure now under consideration. He did, however, wish to refer to one point about which he could bear personal testimony, and that was the embarrassment which would every now and then attend the conduct of our foreign relations if the colonies remained in their present disunited state. These colonies had so much increased in trade, in wealth, and in commerce that, taking into consideration also their peculiar geographical position, they had interests connected with questions of foreign policy, he would not say antagonistic, but, at all events, distinct from those of the mother country. We had, and he thought very wisely, conceded to these Provinces the management of their own affairs, and it would not be politically wise or just to dispose of every matter connected with the foreign relations of these Provinces without consulting the people interested. He confessed, however, to feeling some dismay at the prospect of consulting five distinct Governments, looking at the questions possibly from different and often circumscribed points of view. He did not believe that we should entirely get over the difficulty by the union of the Provinces; but by having one colony to consult, instead of five, the disadvantage would certainly be reduced to a minimum. A noble Earl had alluded to the present scheme as a confederation, and had stated that he would rather have had a legislative union. The weakness of a confederate union was generally supposed to reside in the absence of sufficient authority in the central power. But not one of the sources of weakness of Federal union was to be found in this Confederation. The union was not created by the act of the States themselves—the supreme authority and the executive authority were both to be possessed by the central power, and for all purposes of union the central Government acted directly through its own officers upon the people of the united Provinces. The central power also reserved to itself the complete control over the legislative, the executive, and the judicial authorities. As there was no opposition to the measure, there was but little further for him to say, except that he believed that this union would conduce to the good government of these Provinces; would render the relations between the mother country and the colonies more satisfactory; and would place the colonies on such a footing that, in the event of their ever being desirous of severing that connection, they would be enabled to choose their future position in the world regardless of any external disturbing influences, and to make their own arrangements in harmony with their own wishes and feelings.

LORD LYVEDEN regarded the Confederation as being most advantageous both for this country and for the American Government. He wished to ask the noble Earl (the Earl of Carnarvon) whether, by the terms of the arrangements that had been come to, Parliament was precluded from making any alteration in the terms of this Bill; and whether, in the event of it being possible to make any alteration in those terms, it would not be advisable that the salary of the Governor General should be paid by the mother country instead of by money to be voted by the Colonial Legislature?

THE EARL OF CARNARVON said, by the 105th clause of the Bill, the salary of the Governor General was to be paid out of the Consolidated Fund of the united Provinces. It was, of course, within the competence of Parliament to alter the provisions of the Bill; but he should be glad for the House to understand that the Bill partook somewhat of the nature of a treaty of union, every single clause in which had been debated over and over again, and had been submitted to the closest scrutiny, and, in fact, each of them represented a compromise between the different interests involved. Nothing could be more fatal to the Bill than that any of those clauses, which were the result of a compromise, should be subject to much alteration. Of course, there might be alterations where they were not material, and did not go to the essence of the measure, and he should be quite ready to consider any Amendments that might be proposed by the noble Lord in Committee. But it would be his duty to resist the alteration of anything which was in the nature of a compromise, and which, if carried, would be fatal to the measure.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Friday* next.

House adjourned at Eight o'clock,
to Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 19, 1867.

MINUTES.]—Public Bills — *Ordered*—Mines, &c., Assessment; Sunday Trading.
First Reading—Mines, &c., Assessment [33]; Sunday Trading [34].

LAW OF MORTMAIN.

QUESTION.

Mr. HADFIELD said, he rose to ask Mr. Attorney General, Whether his attention has been directed to the great number of institutions raised by voluntary contributions in England having property affected by the law of mortmain, and held by trustees or a trustee for religious, charitable, literary, scientific, educational, and other useful purposes; and, whether he will bring in a Bill to cheapen and facilitate the mode of transferring trust property so held and any other trust property held therewith to new trustees or a new trustee, either alone or jointly with continuing trustees or a continuing trustee; also, to enable trustees of such institutions to sue and be sued corporately in respect of their trusts; and also so to modify the operation of the law of mortmain as to diminish the expense of founding such institutions by voluntary contributions?

The ATTORNEY GENERAL said, in reply, that the first part of the Question of the hon. Member related to facilitating and cheapening the appointment of new trustees to charitable institutions, and the transfer of the trust estate to new trustees. He (the Attorney General) quite admitted the importance of the subject, although he could not undertake to bring in a Bill with respect to it. He would, however, give the matter early consideration, with a view, if possible, to introduce some useful legislation in that direction. As to allowing a trustee to act in a corporate capacity, he could not think that advisable, and therefore he was not prepared to introduce a Bill with respect to it. The same answer applied to the third Question.

CAPTAIN DESLANDES OF THE "ANNE."

QUESTION.

Mr. GUINNESS said, he would beg to ask the President of the Board of Trade, If his attention has been directed to the particulars of certain charges made to the Local Marine Board of Liverpool on the 18th of December last against Captain Gordon Deslandes, of the ship *Anne*, for gross drunkenness while in charge of the said ship?

Sir STAFFORD NORTHCOTE replied, that the attention of the Board of Trade had been called to the fact by the Local Marine Board of Liverpool, but it rested with the Local Marine Board to decide. There had been a correspondence between them and the Board of Trade, and he should have no objection to the production of those papers.

TRADE IN ANIMALS.

QUESTION.

Mr. M'LAGAN said, he wished to ask the Vice President of the Privy Council, Whether it is the intention of the Government to introduce any measure this Session to carry into effect the recommendations of the Select Committee on Trade in Animals?

Mr. CORRY, in reply, said, a Bill was in the course of preparation to regulate the trade in and the removal of animals in Great Britain, and he hoped to be able to introduce it before long.

ARMY—MEDICAL OFFICERS OF THE BRIGADE OF GUARDS.

QUESTION.

Sir ROBERT ANSTRUTHER said, he would beg to ask the Secretary of State for War, What compensation, if any, has been offered to those Medical Officers of the Brigade of Guards whose prospects have been seriously damaged by the alteration of their system of promotion, under a Warrant framed in 1860, but not promulgated till 1866?

General PEEL, in reply, said, the arrangement which the noble Marquess the late Secretary of State for War had made previous to the present Government taking office, and which he (General Peel) saw no reason to alter, was that the Warrant of 1860 should be carried into force, and promotion was to be in the brigade, and not in any particular regiment. If a vacancy occurred the senior assistant-surgeon of the Guards would be promoted in the Guards.

ORNAMENTAL WATERS IN THE PARKS.

QUESTION.

Mr. H. B. SHERIDAN said, he would beg to ask the First Commissioner of

Works, Whether, having in view the recent lamentable loss of life in the Regent's Park, it is intended to lessen the depth in the ornamental waters of the Public Parks; and, if so, to what depth it is proposed to reduce them ?

LORD JOHN MANNERS replied, that it was intended to reduce the depth of water in the lake in the Regent's Park to four feet. As to the ornamental water of the other parks, he was not at that moment in a condition to say what steps would be taken.

IRELAND—REFORM BILL.

QUESTION.

MR. BRADY said, he wished to ask the Chief Secretary for Ireland, If it be the intention of the Government to introduce a Reform Bill for Ireland this Session ?

LORD NAAS: I think, Sir, that the wisest course which the Government and the House can take is to wait and see what is done as regards the representation of the people in England and Wales before it proceeds to discuss the question of Irish representation.

INSPECTION OF COLLIERIES.

QUESTION.

MR. EDWARDS said, he would beg to ask the Secretary of State for the Home Department, Whether he proposes to introduce any measure during the present Session to secure the more efficient inspection of Collieries and their workings, with the view of preventing the recurrence of such lamentable sacrifice of life as attended the late accidents at Barnsley and elsewhere ?

MR. WALPOLE said, in reply, that last Session there was appointed upon this subject a Select Committee which did not complete its inquiry. As soon as the recent lamentable accidents occurred he directed the Inspectors to meet in order to see if they could make any suggestions that would be of use in the further investigations of that Select Committee. He had further directed two Inspectors, Messrs. Blackwell and Dickenson, to report upon the two recent lamentable accidents. He had received the Report of one, but he had not received that of the other. He proposed to refer both Reports to the Select Committee when it was re-appointed. Until that Committee made its Report it would be premature to give a more definite answer to the Question.

THE SHIP "TORNADO."—QUESTION.

MR. CRUM-EWING said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any reply has been received to the letter addressed by him to Sir John Crampton, dated 8th February, instructing him to demand the immediate release of the crew of the *Tornado ?*

LORD STANLEY: Sir, last night I received a telegram to the effect that forty-five of the crew of the *Tornado* had been liberated, and that seven officers and one seaman still remained in custody ; but I have not yet received any explanation of the cause of the distinction being made between those who were liberated and those who were still kept in custody.

SCOTLAND—POOR LAW.—QUESTION.

In reply to Sir ROBERT ANSTRUTHER,

MR. WALPOLE said, the Law Officers of the Crown were considering the subject of a more economical administration of the Poor Law in Scotland with a view to frame a Bill on the subject.

CATTLE PLAGUE IN CHESHIRE.

QUESTION.

MR. TOLLEMACHE said, that a deputation had lately waited upon the Privy Council to make certain representations on the subject of compensation for cattle which had been slaughtered in consequence of the plague. The noble Duke the President of the Council was absent, but the Vice President and the right hon. Gentleman the President of the Board of Trade were present on the occasion. The case of Cheshire was represented to his right hon. Friends, and they were informed that owing to peculiar circumstances very few cattle were slaughtered in that county by order of the Inspector, though the county had suffered enormously from the plague, and the consequence was that the sufferers received scarcely any compensation, which was certainly a great hardship in their case. His right hon. Friend promised that he would communicate with his Colleagues on the subject, and he wished to ask now, Whether the right hon. Gentleman had done so ; and, if so, what was their answer ?

SIR STAFFORD NORTHCOTE, in reply, said, the question as to whether compensation should be given for animals slaughtered at different periods in consequence of the cattle plague had several times been under the consideration of the Government; and he was aware, in a general way, of the arrangements which had been come to some months ago upon this matter. As it was one, however, which had not been particularly under the notice of his Department, he was not exactly aware of the position in which the question stood when he received a request yesterday to come into the Privy Council Office to meet a deputation to the Lord President which, owing to illness, the Lord President was not able to receive. He there found his hon. Friend (Mr. Tollemache), several other Members of that House, and many gentlemen of high standing from Cheshire. They stated in full the claims of Cheshire for compensation in respect of carcases which had been buried under Orders of Council, to the loss of any possible profit which might have been made from them between the Order of the 23rd of November and the passing of the Act of last Session. The case was stated extremely well, and it was shown that the inhabitants of Cheshire had suffered a very severe calamity which had fallen upon them particularly during this period. Under these circumstances, they not unnaturally came to the Government to know whether anything could be done to compensate them for that loss. He gave the only answer which he could at the time—that he would state the case to his Colleagues and lose no time in doing so. On coming to this House, accordingly, he communicated with the Chancellor of the Exchequer and other Members of the Cabinet, and he found that the mind of the Government had not been altered since the matter was discussed before. It appeared impossible, therefore, to give the compensation for which the deputation applied. He had no doubt the Lord President of the Council would send an answer to the memorial which had been addressed to him.

AFFAIRS OF CRETE.—QUESTION.

Sir HARRY VERNEY said, he would beg to ask the Secretary of State for Foreign Affairs, Whether he has received information from the British Consuls in Crete that the stipulations contained in the Hatti-Sherriff of 1856 and in the Hatti-Humayoun have been observed by the Turkish Government towards the Christian Inhabitants of the Island; and, if no information on the subject has reached him, whether he will cause inquiry to be made from each Consular Agent?

Lord STANLEY: All the information, Sir, which the Foreign Office possesses upon the special subject to which the hon. Gentleman's Question refers has already been laid upon the table of the House. I do not think much will be found in those papers bearing upon this particular Question. But in consequence of observations made in the late debate, I thought it right to cause search to be made in the records of the Office to see whether any Reports bearing upon the subject have been addressed to the Office within the last two years. When that search is completed, if I find anything bearing on the present state of things in Crete to justify its production, I shall lay it on the table.

DOCKYARDS.—RESOLUTION.

Mr. SEELY rose to move the Resolution of which he had given notice—

> "That, in the opinion of this House, the control and management of the Dockyards is inefficient, and that the inefficiency may be attributed to the following causes:—
>
> 1st. The constitution of the Board of Admiralty;
>
> 2nd. The defective organization of the subordinate departments;
>
> 3rd. The want of clear and well-defined responsibility."

He had been induced to bring this Motion before the House because he believed there was a general feeling throughout the country that the organization of this Department was very defective, and that opinion was shared by men of business in that House who had experience of the management of large establishments. He had been strengthened in his wish to bring this matter before the House in consequence of the Report of the Royal Commission, which had attributed the inefficiency of which he complained to the causes embraced in his Resolution. That there was a want of responsibility would scarcely be questioned by any man. When the most competent authorities—men who had held the post of First Lord of the Admiralty—differed as to what were the powers and duties of the office, what must be thought of the matter? He would give the House one or two quotations in illustration of what he had stated. The Duke of Somerset, in his evidence before the Committee of 1861, which had been appointed to inquire into the subject, was reported, page 28, to have said—

> "I consider that the First Lord is responsible for the whole administration of the navy" . . . "as the Secretary of State is considered to be responsible

for his own department, and I believe this". . . "has been the understanding of all former First Lords."

But the right hon. Gentleman opposite (Sir John Pakington), who was examined before the same Committee, was of an entirely opposite opinion. At page 179 it would be found that he said—

> "I do think that the system of administration of the Admiralty is not satisfactory, &c." . . "I never did feel at the Admiralty that I had either the knowledge, or the control, or the responsibility which I think the Minister who is at the head of so great a Department ought to have."

And at page 25 he said—

> "I avow my distrust of the Board of Admiralty as a means of governing such a department as the Navy."

And at page 195 he said—

> "The responsibility of the First Lord in departmental" . . . "matters is rather a theoretical than a real responsibility," and "where six gentlemen sit round a table there is, unavoidably, a tendency to lean upon each other. . . There is that theoretical responsibility of which we have heard so much, but my sincere belief is that there is a want and an absence on the part of any one member of that Board of that sense of individual responsibility—that feeling that upon my conduct hangs the decision of whether a given course is or is not to be taken, or whether a given thing is to be well done or not well done—upon which sense of responsibility I think the satisfactory conduct of public business mainly depends."

With reference to the Junior Lords, the right hon. Baronet was asked whether his opinion applied to them also?—and his reply was—

> "My opinion is that it is very difficult to say what the responsibility of the Junior Lords is, and, I may almost add, it is doubtful whether they have any."

The Civil Lord was supposed to superintend the accounts, but the Duke of Somerset, when asked whether more authority was exercised by that member of the Board in this department than by his colleagues, replied in the negative. A previous First Lord, Viscount Halifax, stated that the Accountant General was under the Civil Lord; and when asked whether the accounts would be under his superintendence, so far as the Accountant General had the cash accounts, he replied, "Just so." As to the Controller, his duties were extremely onerous and important, for he had to draw the designs for ships, whether those built in the Royal Dockyards or in private yards, to inspect works in progress, and, in fact, to control the management of the 17,000 or 18,000 artificers and workmen employed in the seven dockyards; and he had besides various other duties. The Royal Commissioners of 1860 reported that the Royal Dockyards ought to be regarded as manufacturing establishments, and that the Controller of the Navy should be practically acquainted with and qualified to manage such establishments; and the Duke of Somerset, while objecting to that view, admitted that if it were adopted a civilian would have to be appointed as Controller General. The Board, however, ignored that Report altogether, and laid down the strict and rigid rule that the Controller must be a naval officer. Now, what he (Mr. Seely) contended for was, that all the ability to be found in the country should be made available for the public service, and that the best man should be appointed Controller, whether he were a naval officer or a civilian. Admiral Walker, who had filled that position, when examined before the Commission, stated that though he was supposed to be responsible for a ship being properly adapted in all its parts, he was really guided by his officers; and Lord Clarence Paget remarked that the Controller not being a practical man must necessarily be guided by the officers under him. The recommendation of the Commissioners was evidently in accordance with common sense; yet the Duke of Somerset told the Committee of 1861 that there were a thousand reasons against a civilian being Controller. He only, however, stated one, which he probably thought the strongest, leaving the 999 locked up in his breast, and that reason was that all the fittings, ventilation, stowage, and comfort of a ship were under his superintendence, and that a naval officer would be better able to look after those things than a civilian. One would have supposed that the speed, strength, and offensive and defensive power of a vessel were the matters of primary importance; and he (Mr. Seely) submitted, moreover, that even the points to which the noble Duke gave priority would be as well attended to by a civilian as by a naval officer. The noble Duke seemed to proceed on the assumption that the man who used a thing must necessarily be the best man to make it; but according to such logic everybody ought to be his own architect and his own shoemaker. Moreover, naval officers had not been particularly successful with regard to these very details; for Rear Admiral G. Elliot, who informed the Commitee of 1861 that ships' fittings were very defective, and that two years previously a Committee over which he presided had unanimously reported "strongly condemning the dangerous position of the magazines, and referring to previous reports of the same description," and he attributed the disregard by the Admiralty of this and former reports of the same character "to be entirely owing to the constitution of the Board, including the Controller's office." Another rule insisted on by the Admiralty was that the person filling the office ought to be frequently changed, and the reason given by the Duke of Somerset was that he ought not to remain in office more than seven or eight years, certainly not more than ten, because with the change there was more probability of improvements being effected. Yet the noble Duke acknowledged that it was undesirable to change the heads of departments, such as the store-keeper, in a similar manner, for that this would put them completely in the hands of their chief clerks. Now, surely the same objection applied to the Controller, and if he were an efficient officer the longer he remained in the service — of course with certain limitations—the better would he be able to fulfil its duties. It was much more difficult, too, to obtain a competent successor for so important a post, than for that of Storekeeper General. The test of good management being the production of articles of the best quality at a reasonable cost, a Controller who knew his business instead of being opposed to improvement would be anxious to adopt every real improvement in order to make his vessels as powerful and effective as possible. It might be said that he had assistants, such as the Chief Constructor, but knowledge ought to proceed from the higher to the lower officers, and not from the lower to the higher. With regard to the Controller, one important part of his duty was the visiting and the management of the dockyards; but the Duke of Somerset in Report 1860, p. 22, said, "It is impossible for the Controller to leave London," his business requiring his daily attention in London. It might be asked what assistance the Controller received. As the Royal Commissioners reported that he was responsible for the work in the yards it might be supposed he would have the power of appointing the best men he could get; and in their Report they expressed the opinion that as the Controller was responsible he ought to have the power (subject to the approval of the Minister) of appointing the Superintendents of the dockyards, who were the instruments for carrying out his instructions. The Board of Admiralty, however, paid no attention to this recommendation; and the Duke of Somerset, in his evidence before the Royal Commissioners, expressed an opinion that it would be a great misfortune so far to place the Superintendents under the Controller. They were, he said, now able to communicate with the First Lord or any other member of the Board, and that was to some extent a check upon the Controller. Now, as the Superintendents were the agents of the Controller, this appeared to be scarcely fair and generous—such a course would not be pursued by men of business. The Board of Admiralty had never carried out the recommendation of the Commissioners, and insisted that the Superintendent should be a naval officer. The Duke of Somerset gave as a reason for this that the captain of every ship fitted out wanted some alterations, and a naval officer could best understand what was wanted. It was rather a libel upon the naval profession to say that every captain wanted some alteration to be made in the fitting out of his ship. He did not believe that every naval officer would demand such alterations, nor did he believe that a naval officer in the position of the Superintendent was the best person to protect the public. No doubt, there was a master shipwright, a master smith, and other head officers, who could assist the Superintendent, if a naval officer, in shipbuilding; but the Superintendent having no practical knowledge could not decide, for instance, between the master shipwright and the master engineer if they differed. Some of these officers were exceedingly clever, and what was wanted was a head—some one to whom they could appeal if they differed. Sir Michael Seymour stated that when he was Superintendent of Devonport Dockyard in 1854 certain works were in abeyance for ten years in consequence of a disagreement between the dockyard authorities and the Board of Works. Practically, the Superintendents were changed every two or three years, before it was possible for them to become interested in the efficiency of their dockyard, and the results were disastrous. If a manufacturer well acquainted with his business left it for six or eight months he had some difficulty in taking up the thread of his work; and still more difficult was it for a Superintendent to become acquainted with what was passing in a dockyard with which he had little or no direct acquaintance. There were six Lords of the Admiralty, who had no practical knowledge; one Controller, who could not leave London; and one Superintendent, who knew even less than the Controller. Was it likely that a business so superintended could answer? Would any Member of that House get up and defend the system on which dockyard management was conducted? Would any manufacturer or man of business defend such a system? The country was gradually getting rid of Boards. The India Board and the Ordnance Board had been swept away, and the general feeling of the country was against them. There was no public Department on which so many Committees had sat as the Admiralty. In 1859 a Committee to inquire if any improvement could be made in dockyards was appointed by the Lords of the Admiralty. It consisted of Rear Admiral Smart, Mr. Chatfield, master shipwright; Mr. Andrew Murray, chief engineer; Mr. Robert Laws, storekeeper; and Mr. Robert Bowman, civil engineer. This Committee examined 173 witnesses, 172 of whom were or had been paid officials of the Admiralty, and only one an independent witness. In August, 1859, they reported—the only dissenting member of the Committee being Mr. Chatfield—

> "The Committee feel from their own observations that the remark made in the circular, issued by the Board, in February, 1847, that 'the quantity of work done in the dockyards is below the standard of well-conducted private establishments' is still applicable; and it was evident to the Committee that before this can be remedied material alteration will require to be made in the system under which the works in the dockyards are conducted. There was an apathy and want of activity and energy pervading many of the supervising officers, and many of the men, apparent in the dockyards, and that no code of rules for the management of such large bodies of men can be made so complete as to enable an inefficient or inactive professional officer at the head of a department to carry it on properly, as if they were 'personally supervised by an active, energetic, practical officer.'"

A Royal Commission was afterwards appointed to inquire into the control and management of the dockyards. They examined seventy witnesses, all of whom were or had been officials, except two. They reported—and he (Mr. Seely) had adopted that portion of their Report—

> "We regret to state that, in our opinion, the control and management of the dockyards is inefficient, and that the inefficiency may be attributed to the following causes:—1. The constitution of the Board of Admiralty; 2. The defective organization of the subordinate departments; 3. The want of clear and well-defined responsibility; 4. The absence of any means, both now and in times past, of effectually checking expenditure, from the want of accurate accounts."

Well, notwithstanding the general opinion throughout the country—notwithstanding that the system had been condemned by the Reports of Committees, and by the opinion of men of business, still, if the Admiralty would point to results, and say "we challenge you on the results," that would be something. But this was just what the Admiralty could not do. Year after year there were complaints of the accounts, next that the work was expensive, and thirdly that the fleet was inefficient. What reason could there be for all this delay in the accounts? He admitted there were certain principles recognised in keeping accounts, and they might be made perfect as regarded all the practical issues involved without waiting for six or seven years. Sir James Graham, who was examined before the Committee of 1861, said—

> "I am perfectly satisfied—as I stated the other day after hearing the Duke of Somerset's evidence (the Duke both admitting the necessity of these accounts and of placing them under the sole direction of the Accountant General)--that it is quite competent to frame a form of accounts, and that the evil would be remedied under the existing system in six months. I do not believe there is any difficulty in doing it."

Since then six years had nearly elapsed, and yet they were told that the accounts would be better "next year." Again, in the same Report, another opinion of Sir James Graham was thus given—

> "I am assured by Sir Richard Bromley and Mr. Anderson, who are the highest living authorities, in my humble judgment, with respect to accounts, that there is no difficulty in so forming accounts upon the principle of double entry so that at once, year by year, Parliament may be told what has been spent in the building of any gunboat, in the building of any three-decker, in the making of any dock, or in the repair of any quay. And the account will be imperfect unless every kind of charge which a shipowner would bring to book is carried to account. An account misrepresenting values is infinitely more dangerous than no account at all; an imperfect account, in my humble judgment, is infinitely worse than none."

And the right hon. Baronet opposite (Sir John Pakington) stated before the same Commission in 1861—

> "If the accounts were kept so as to show the exact cost of ships a competition in economy would be established between the different yards which would be of great benefit to Her Majesty's service."

Now, though he (Mr. Seely) admitted that the accounts had been improved, they were still very imperfect. Before 1865 the gentlemen having the management of the accounts actually omitted to charge in the cost of building ships the very wages of the foremen of the smiths, millwrights, ropemakers, caulkers, sailmakers, riggers, painters, joiners, &c., engaged in building them, as well as rent, taxes, the cost of surveys and valuations, and other items. Thus about £2,000,000 was omitted from account of cost of ships from 1860 to 1863. They even now denied that the pensions to artificers formed part of the cost of ships, when, as everybody knew, the wages paid were lower in consequence of those pensions. It was now admitted in principle that interest should be charged; but what a farce was the manner in which they had carried that out! The sum of £46,398 in 1864-5 for the first time was put down for interest. They admitted that they had upwards of £5,000,000 worth of stores; and was it not a fair estimate to put down £5,000,000 more for buildings, plant, machinery, and works for ships in progress? If so, they had £10,000,000 of money, on which £46,398, or not one-half per cent, was charged as interest for last year. It was the practice of men of business to charge 5 per cent interest on plant and buildings, 5 per cent additional as interest for depreciation of buildings, and 10 per cent for depreciation of machinery. An analogous rule to that was adopted in the case of the Army, so that there was the practice of a Public Department from which the dockyard authorities might take example. He maintained that it was complete nonsense to charge £46,000 as interest upon £10,000,000, as though it covered all the depreciation of plant and buildings. Apart from this, however, they had not yet got what Sir James Graham said they ought to get—namely, the cost of building every ship and gunboat. True, they had got the wages and the materials in each yard; but a large number of incidental expenses were lumped together from all the yards, and then divided *pro rata* over all the ships built in all the yards. The result was that any particular yard which might be economically managed as to its incidental expenses received no credit for it; whereas a yard which had an extravagant expenditure of that kind, as was the case at Portsmouth, got less than its true share of this branch of cost set down to it. Was that a clear and accurate mode of rendering accounts? The fact was officials disliked these incidental charges. The Duke of Somerset seemed to have a particular objection to them. He would assume that the speech made in another place the other day, and a pamphlet which had been widely circulated on that subject, both proceeded from the same author. Now, at page 57 of that pamphlet it was said—

> "The misunderstanding which has already sprung up in the public mind from an erroneous view of these accounts will render it necessary to re-consider the mode in which the expenditure of the dockyards is now brought to account so far as relates to 'incidental expenses.'"

He trusted the House would carefully watch the consequences that might ensue. They might get rid of the system of putting these "incidental expenses" into the account, and not get rid of having to pay for them. They might even have to pay more for them, when they were no longer presented as a separate item. He hoped it would not be thought that he was out of order if he referred to what had been said in "another place" as to the cost of the navy. In his speech the other night, the noble Duke said—

> "We also built by contract vessels at an expense of about £7,000,000."

And in the pamphlet, at page 25, this was stated—

> "The portion of the £17,000,000 which was actually paid for vessels built by contract, and for the purchase of steam machinery, may at once be struck off from any question of dockyard management. Nearly £7,000,000 was paid for vessels built by contract and for the purchase of steam machinery. . . Excluding, then, £7,000,000 paid for contract work and purchases from the £17,000,000, there remains £10,000,000 expended in wages and materials."

Now, he (Mr. Seely) wanted to show the House that there was not £7,000,000 paid for vessels built by contract and for steam machinery, and that there was considerably more than £10,000,000 expended in wages and materials, according to the very figures put forward in that pamphlet. The total sum voted in six years for vessels built by contract and for purchasing steam machinery was put down at £7,296,802; but the total sum expended was only £6,255,886; and it was therefore rather incorrect to say it was about £7,000,000. And in the appendix to the pamphlet—a part of it which few people probably would read—there was this statement at page 79:—Labour at home and abroad, £6,971,143; materials used in shipbuilding, about £1,000,000 per annum for six years, or £6,000,000 altogether. These two items made a total of £12,971,143; and there was a difference, therefore, of £2,971,143, as compared with the statement put forth in the body of the pamphlet, that about £10,000,000 were expended for wages and materials. There was another remark calling for notice—to the effect that vast sums were spent for police and schools. The object of the noble writer was to show that the public dockyards were placed at a disadvantage as compared with private yards on account of these two items. If, however, they paid so large a sum to the police for watching their property, what was there in the organization of the public yards which rendered that necessary more than in the case of private yards? With regard to schools, the whole sum paid for them in the seven dockyards at home and the two abroad in six years amounted only to £26,772, or about £2,462 per annum. The object of the noble Duke's observations in another place evidently was to run down private yards and elevate the public yards; and he must confess his great regret that his Grace should have ventured to speak in the terms he had done of an hon. Friend of his and a Member of that House. To say the least, those observations were very ungenerous and in very bad taste. Whatever might have been the misfortunes, or even the faults, of the hon. Member for Bristol (Sir Morton Peto), at any rate he had done that which many Members of that House had not done, and perhaps never would do —he had conferred in his time a great public service on this country. During the Crimean war, when there was almost a deadlock between Balaklava and Sebastopol, who was the man that came forward to relieve our army from that deadlock? It was his hon. Friend, then the Member for Finsbury, who went to the Secretary for War and suggested to him that it would be very possible to lay down a railway; that he would willingly do that free of any profit, and put his whole plant at the service of the Government. That offer was almost immediately accepted, and he need scarcely say what was the result. But that was not all. A question was raised whether his hon. Friend could perform that and still keep his seat, even although he was not going to receive any profit. He resigned his seat for Finsbury; he did so in order to do some good to his country, and although thereby no benefit was to accrue to himself. Therefore, it was exceedingly ungenerous for a person in the position of the noble Duke to speak of him as he had done when his fortunes had become clouded. He (Mr. Seely) would not weary the House by repeating the statements which he had on former occasions made to show that the cost of vessels built in Her Majesty's dockyards was very much larger than that incurred for those constructed by private firms. He had then pointed out that eleven ships had cost £475,825 for repairs, according to the Admiralty given cost, but that if the items omitted which a private firm would add were reckoned, such as wages of foremen, rent, interest, &c., the real cost of the repairs would be about £610,000; whereas eleven similar new vessels could be purchased at the rate of £33 per ton and £55 per horse-power for about £477,000, or these repairs cost more than new vessels by £133,000. He would, in the next place, advert to some remarks which he had made last Session with regard to the cost of repairing certain boats. The right hon. Baronet the First Lord of the Admiralty had charged him with extreme exaggeration because of those remarks, although he was good enough to acquit him of intentional misrepresentation, and had solemnly told him that a Member of that House ought, before he brought such accusations, to be very careful about his facts. He (Mr. Seely) had stated, amongst other examples then given, that at Portsmouth in 1864-5 one 25 feet cutter had been repaired at a cost of £66, when she could have been bought built new and fitted for about £30; but the right hon. Baronet had charged him with having substituted three for one. He should, however, quote from the Returns which he had moved for in consequence of the First Lord's contradiction of his (Mr. Seely's) statements, which gave the cost and the rate book price of building and repairing the boats in Her Majesty's dockyards for 1864-5, and ask the House whether in the statements which he had made he had or had not been guilty of extreme exaggeration. From the document to which he referred it appeared (Return 505, Boats, p. 32, line 8) that the dockyard given cost of repairing one 25 feet cutter was £50 11*s.* 7*d.*, and if to that amount were added £21 18*s.* 5*d.*, which would be about the same percentage for incidental and omitted charges that the last published accounts of the Admiralty showed, was added to the cost of ships, including the boats when the accounts were finally made up at Somerset House—namely, 43¼ per cent—the cost of repairing the boat in question would be found to be £72, as against £30, for which sum he maintained she could have been purchased newly built, including the cost of £7 10*s*. for her fitting, £22 10*s*. being the price at which the Admiralty purchase 25 feet cutters, and £7 10*s*. being the dockyard rate book price for fitting a 25 feet cutter, as is stated in Return No. 505, p. 32, line 8. He also stated that eighty-three boats had been repaired at Portsmouth which it would have been better to have burnt; and the Returns to which he referred fully supported that statement, inasmuch as new ones could have been bought for about the same sum. Again, it appeared from those Returns that the repair of sixty-three boats in 1864-5 had cost (Dockyard figures) £2,505 at Portsmouth, which, if the percentage he had before indicated were added to it, would amount to £3,590, whereas they could have been purchased built new for £2,890. He should next trouble the House with a few individual instances copied from the Returns in question. At page 32, line 4, it would be seen that the repairs of a 26 feet cutter at Portsmouth Dockyard cost £56 19*s*., the real cost, including the items as given in Return 54, page 70, being £81, while she might have been bought built new for £27 6*s*. Again, a 25 feet cutter was set down as having cost £57, which could be bought built new for £22 10*s*. A 23 feet cutter, it further appeared, cost £60, which might have been bought built new for £20 14*s*.; a 30 feet gig £73, which might have been bought built new for £22; a 24 feet gig, £51, which might have been bought built new for £17 12*s*.; and a 25 feet whaleboat, £53—he included in each case the percentage—which might have been bought for £19 3*s*. 4*d*. From page 19 of the Returns it appeared that the cost of fitting four 27 feet whaleboats at Devonport, being all that were fitted, was £38 13*s*. 7*d*., while the rate book price of fitting amounted to £26 8*s*. At Chatham, two 27 feet whaleboats, all that were fitted, cost £41 1*s*. 3*d*. to fit, while the rate book price was £13 4*s*., Chatham's cost of fitting being double that of Devonport. Again, to take a particular example, at Chatham the cost of fitting one 27 feet whaleboat was £20 12*s*.. 3*d*., as against the rate book price £6 12*s*.; whilst at Devonport, fitting a 27 feet whaleboat cost only £5 18*s*. 9*d*., rate price £6 12*s*., or Chatham fourfold Devonport. At Devonport, six 24 feet gigs, all that were fitted, cost to fit £34 17*s*. 8*d*., the rate book price being £34 4*s*., showing that the fitting could be done for that money; whilst at Chatham two 24 feet gigs, all that were fitted, cost to fit £30 13*s*. 5*d*., rate book price being £11 14*s*. 8*d*., or Chatham three or fourfold as much as Devonport. Having said thus much with respect to the boats, he should trouble the House with one or two items from the Accounts for 1863-4. He was obliged to go back to that year, for those for the last were so condensed that he was unable to criticize them. From the Return "Dockyards and Steam Factories No. 379," for 1863-4, under the head of "roperies accounts," he found that the cost at Chatham, Portsmouth, and Devonport was £322,863, while the rate book value and the price charged to the ships for these materials was only £279,825, so that there was an excess of cost over rate of £43,038, and £43,038 too little charged to the ships for these items, if they came into any ships' accounts before 1864-5. Again, he found that at Portsmouth 261½ tons of Riga tarred yarns cost £13,704, while the rate book value, or the price charged to the ship, was £10,532, the excess being £3,172. At Portsmouth, also, it appeared that three Dantzic topsail-yards, 15 inch diameter, cost £434, the rate book price being £150, so that the charge to the ship was £284 too little, and the cost was 190 per cent above rate. Yet at Devonport six Dantzic and red pine yards, 15½ inches, cost only £263, the rate price being £264, or Portsmouth's cost is nearly threefold that of Devonport. As furnishing another instance of mismanagement in our dockyards, he had last year mentioned that our dockyards had been paved with cold-blast pig iron made fifty or 100 years ago, before the hot-blast process was invented, and which iron had, before the introduction of steam vessels, been used in sailing ships as iron ballast; but the Duke of Somerset, speaking on the subject in "another place," was reported to have said that, considering the smallness of the amount involved, a great deal too much had been made of the matter. Now, he had no doubt that he and the noble Duke might differ in their estimate of what was a small or a large amount. The question was a relative one; but whether 35,225 tons of iron ballast, costing and being now worth £184,931, should or should not have been laid down in the dockyards as paving, when the very best granite or other paving could have been bought and laid down for a tenth of the value of the iron, was a matter with respect to which the taxpayer could hardly be assumed to be indifferent. He had also mentioned another point, and that was that since 1842 Messrs. Brown, Lenox and Co. had been paid for anchors something like £170,000 above the average prices at which four first-class firms had offered to make exactly similar anchors, subject to exactly the same tests as those supplied by Brown, Lenox and Co. The accounts had for a series of years been imperfect, and were not perfect yet. Accounts, however, were but a means to an end, and though the work in the dockyards might be very expensive, yet, if we had an efficient fleet, the country would not be inclined to grudge the expenditure. In the Committee of 1861 Admiral Bowles stated, in his evidence on the Syrian question in 1840—

> "That the French Admiral, who had an equal force with ourselves, soon found out how weakly our ships were manned, and how badly they manœuvred, and he wrote to his Government . . . for permission to attack the English fleet, saying that he would answer for obtaining a complete victory."

And Admiral Bowles further said that, according to the Commander-in-Chief, Sir Charles Napier, the fleet sent to the Baltic in 1854 was "the worst fleet ever sent to sea by Great Britain since our naval history commenced;" and Sir John Pakington stated that—

> "The French went ahead of us in 1852 in the application of steam power to the larger and heavier class of ships, and again went considerably ahead of us in the invention and application of armour-covered ships. Of course I may be wrong; but it is my opinion that if you had not had a Board of Admiralty, and had had a Minister with concentrated responsibility, with the feeling that everything done or left undone would be visited upon him, the French would not have gone ahead of us as they did, either with respect to the application of steam to line-of-battle ships or the adoption of the invention of armour-covered ships."

And he afterwards said he did not blame any particular Minister, but the system; and went on to say—

> "That in the late American war in 1814 we kept our frigates at 1,100 or 1,200 tons, until the Americans built ships which we could not cope with."

And concluded by saying—

> "I think it is perfectly fair to attribute these humiliating facts to the inherent weakness in the system of administering the affairs of the navy by a Board."

Sir John Pakington says the practice was to order three ships of the line a year, but only two had been completed; that in ten years thirty-seven were ordered, but only twenty-five built—there being a deficiency of twelve, or above one per year. The deficiency in frigates also was fourteen. Then, as late as last Session, the right hon. Baronet had stated that our Reserves were very deficient; and he (Mr. Seely) would corroborate that by a single fact which had been communicated to him on the highest authority. He was told that there was not a single vessel which could be sent to the African station when the vessel on that station had remained there longer than she ought to have done. That vessel came home in October, but no vessel could be found to supply her place, and she could not be repaired till the end of January. Now, it should be borne in mind that the rate of mortality on the African stations was very high indeed. In the Mediterranean it was 9·5 per 1,000; on the North American Station 7·9 per 1,000; on the East Coast of America 14·5 per 1,000; and on the West Coast of Africa 23·8 per 1,000. There was one other point which he desired to bring under the notice of the House. In the early part of the year 1863 the then Controller General of the Coastguard saw that in the Estimates of that year 500 additional men had been voted for the Coastguard service. He had not been consulted on the subject, and was not aware that there was any necessity for these men. He accordingly instituted inquiries in his office, but could not find any one who knew anything about the matter. Then he wrote to the Board of Customs, but they also knew nothing about it. He next spoke or wrote to the Accountant General, but the only reply he received was that the Admiralty had given the order for the additional men. In 1862-3 there were 3,850 men voted for the Coastguard; their pay was £172,044; there were 1,150 civilians, with pay amounting to £72,274—the total number of men being 5,000, and the total amount of pay £244,318. In 1863-4 the figures were as follows:—Men, 4,500; pay, £199,047; civilians, 1,000; pay, £62,921; total men, 5,500; total pay, £261,968. The figures in 1864-5 were:—Men, 4,000; pay, £173,739; civilians, 950; pay, £60,044; total men, 4,950; total pay, £233,783. Now, it was evident that this Department did not want the additional 500 men they asked for, because they did not take them on the next year. It was fortunate that, though the House in 1863-4 voted the pay for the additional 500 men, they did not vote the money requisite to find them in lodging and house-rent. When the Controller General pointed out this circumstance the answer he received was that the error could not be rectified till the following year. The only other matter with which he should trouble the House showed the want of any well-defined responsibility in the present system. It was a return of the quantity of steel or chilled iron shot or shell on board Her Majesty's ship *Favourite,* which sailed last spring to protect British vessels on the North American coast. It would be in the recollection of many hon. Members that it was thought last spring that possibly there might be a difference of opinion between the United States and England respecting the fisheries, and the United States sent an iron-clad fleet to protect their fishing vessels, whereupon the destination of the *Favourite,* which was under orders to proceed to the Pacific, was changed, and she was directed to go to the North American coast. Well, the Return which he moved for was to the following effect:—

> "1. When last sailed from England to North America?—April 24, 1866.
>
> "2. Had she any steel or chilled iron shot or shell on board?—None.
>
> "3. Have any steel or chilled iron shot or shell been since sent to her; and, if so, how many, and when?—None have been sent; but 1,539 chilled shot for 7-inch guns have been issued to Halifax for the land service, and they could on an emergency be made available for the *Favourite.*
>
> "4. If none have been sent, is it intended to send any, and when?—Steel shot and shell for the *Favourite* will probably be ready in about the second week in September, and they will then be shipped to Halifax."

Now, this was a very serious thing, for if this vessel had met with an enemy and had not a single steel or chilled iron shot or shell on board she must have been taken. On whomsoever the responsibility might rest, it was clear that somewhere or other there had been a grave dereliction of duty. In conclusion, he thanked the House for the indulgence they had extended to him, and would simply ask them to give effect to the Report of the Royal Commissioners. The hon. Member concluded by moving the Resolution.

MR. ALDERMAN LUSK seconded the Motion.

Motion made, and Question proposed,

> "That, in the opinion of this House, the control and management of the Dockyards is inefficient, and that the inefficiency may be attributed to the following causes:—
>
> 1st. The constitution of the Board of Admiralty;
>
> 2nd. The defective organization of the subordinate departments;
>
> 3rd. The want of clear and well-defined responsibility."—(*Mr. Seely.*)

SIR JOHN PAKINGTON: Sir, the hon. Member for Lincoln has imposed upon me a somewhat difficult task, but I will endeavour to reply to what has fallen from him as candidly and fairly as I can. Where I think the hon. Gentleman is right I will fairly acknowledge it; but if I express an opinion that he has fallen into error, I feel assured the hon. Gentleman will not think I intend any disrespect towards him. In the first place, I wish for a moment to refer to what has been said with respect to the evidence which I gave before the Committee of 1861 as to the constitution of the Board of Admiralty. The hon. Gentleman has made quotations from the evidence showing the opinion I then ventured to express, and I am bound to state that I do not in the least degree recede from any opinion which I then stated. But I ask the House and the hon. Gentleman to consider the circumstances of difficulty, and I may say of responsibility, under which that evidence was given. I was one of the five First Lords of the Admiralty who were examined. The Duke of Somerset was first called. He was followed by Sir James Graham, Sir Francis Baring, and Sir Charles Wood. I was the last of those witnesses called, and, excepting the Duke of Somerset, I was the person who had held that office for the shortest period. All the other Lords had given evidence in favour of the existing constitution of the Board of Admiralty. Placed as I was in the witness-box on that occasion, of course I had only to give frank and truthful answers to the questions to which I was for three days exposed. I could only do that which I did—state the impression made on my mind during my short experience as First Lord of the Admiralty. I have not in the least changed the opinions which I then expressed. I do still think that for the administration of a great Department, a Board is a clumsy machine. I still think that from the constitution of that Board there is an absence of that direct responsibility which ought to exist in a great Department, and I cannot say that I think the constitution and the working of that machine is satisfactory, or well adapted to the discharge of the important and difficult duties which devolve upon the authority which may be intrusted with the administration of the navy. I must remind the House that this was not the first occasion on which I have been led to question the constitution of one of our great Departments. When I had the honour of holding the office of Secretary of State for the Colonial Department, I also filled that of Secretary of State for War. It was a most inconvenient combination, and I stated my conviction, both in public and in private, that if a war should arise and a time of pressure should come it would be impossible to proceed satisfactorily under such an arrangement. That prediction was verified; the Crimean war came, and under the pressure of the war the Government of the day saw the inconvenience and impracticability of that constitution of the War Office, and found it necessary to make a change. I have referred to the fact for this reason, to show the House how difficult it is to effect a change in any one of our great Departments. Although the pressure was so great and the change was necessary, yet from the time of the Crimean war to a year ago, it could hardly be said that the new arrangement of the War Office had been completed. It took many years to effect the change. After the avowal I have made as to the constitution of the Board of Admiralty, I am therefore not insensible of the difficulty which would attend an extensive change in that Department. Perhaps the hon. Gentleman may ask—If these are your views why have you not proposed to carry out those views by some practical change? My answer is this:—I have only been in office six months, and during that time I have had before me the question of the dockyards, and the state of the Navy, and my Colleagues have been engaged in considering the great question of the representation of the people. Therefore, I think, I cannot be open to censure if up to this moment I have thought it would be imprudent and unwise to introduce the subject to my Colleagues, and to press it upon their attention. If I continue to hold the office which I now hold, without giving any promise, I may say that so strong is my conviction that the constitution of the Board of Admiralty is not convenient—is not profitable to the public service, that probably I may hereafter consult my Colleagues as to whether some change may not be desirable. The hon. Gentleman has adverted to several subjects which occupied his speech in the House last Session, and which he again touched upon in a speech addressed to his constituents at Lincoln. When he spoke last year, I endeavoured to meet him with perfect fairness. It would have been presumption on my part to offer a detailed answer on all the subjects then brought forward by him. But the undertaking into which I did enter, and which I have endeavoured to redeem, was that I would, during the recess, give my attention to an investigation of the various facts which he had brought forward. Amongst these there was none that startled me more, that startled the public more—none that took me more entirely by surprise, than the statement with regard to the iron ballast in our dockyards, which has since gone by the name of "Seely's pigs." I said I would investigate that statement, and it may be satisfactory to the hon. Member to know that, so far as I have been able to ascertain, there was nothing unfair or untrue in the statements that he made. I really regarded him almost as a visionary when he came to my room at the Admiralty, accompanied by the hon. Members for Oldham and Stockport, and was told by the hon. Member for Oldham that he would repave the dockyards with anything I liked, and give me £100,000 for this ballast. I thought, to use a common phrase, they were chaffing me on the subject, and that they could not be serious. But I believe there was no exaggeration in the matter. On the contrary, I am told that if I had accepted that offer, those who made it would have made an excellent bargain. The course which the Admiralty adopted was this:—We called upon a house of the highest repute in Birmingham to make a selection of these iron pigs and analyse them for the purpose of ascertaining their real merit and market value, and requested them to report thereon. Messrs. Ryland occupied a considerable portion of time in making these experiments, and at length made a report stating that the iron consists of an unusual number of different sorts, I think ten or twelve, that two of these sorts were inferior; but that the remainder were valuable, provided they were sold to the parties whose purposes they would suit. It has been said that the Duke of Somerset spoke of the iron as being of inferior value. I believe the explanation is this:—The Admiralty had from time to time endeavoured to sell this iron, but they could never succeed in obtaining a proper price, and Messrs. Ryland said—

> "If you take this iron into the public market, and endeavour to sell it, you would get comparatively nothing for it, because it varies so much in description; it will only fetch its real and proper value when it is sold in a special market, but if carefully selected and sold with judgment and care we believe it will realize a considerable price;"

indeed, a sum not far from that mentioned by the hon. Gentleman. The Board of Admiralty were not satisfied with that one estimate made by Messrs. Ryland, but they applied to a gentleman whose name I have only to mention to show that he is a person of the highest possible authority—I mean Dr. Percy, the head of the mineralogical department of the Museum of Geology, in Jermyn Street. The report of Dr. Percy fully concurs with that of Messrs. Ryland. He expressed a high opinion of its value. The course which the Admiralty propose to pursue is this—to follow the advice of Messrs. Ryland, to select the iron, and then take it into the market, and if they sell it to obtain a fund towards strengthening the power of the British navy. Another point which was brought forward by the hon. Member last Session, and which has been again referred to by him to-night, is as to what he calls the loss of £170,000 by the course the Admiralty pursued in regard to anchors, and I am unable to say that I think the hon. Member entirely right on that point. I believe this is one of those cases in which, I am sure unintentionally, the hon. Gentleman has been led into a very extravagant statement. He told me last year that the Admiralty anchor was almost the worst in existence, and that the result of an inquiry before a Committee was that of eight different descriptions of anchor the Admiralty anchor was found to be the worst except one. The Admiralty anchor to which he then referred was, however, a different one to that now in use, which has been very much altered and very much improved in its construction by the makers, Messrs. Brown and Lenox. The hon. Gentleman arrived at the conclusion that the loss of £170,000 was the result of the difference in the price of the Admiralty anchor when compared with the price of anchors in the open market. But there is no price of anchors in the open market; the price depends on the weight and manner of manufacture. On coming into the office which I now hold, and examining into the state and number of anchors in our dockyards, I found that the supply of anchors was excessive, and that there was in stock a much larger number of anchors than there was any necessity to maintain, or than was required for the service, and from that time, therefore, we have bought no more. Although the contract with Messrs. Brown and Lenox still exists, I believe it to be in the interests of public business that it should be revised and determined, although I throw no blame whatever on Messrs. Brown and Lenox. The next point to which I desire to refer is one to which the hon. Gentleman referred in his speech at Lincoln, and where, I think, he was in error. The hon. Member alluded to the great extravagance in the Admiralty with regard to the manufacture of lead, and said he was told that they still manufactured sheet lead at a cost of 35*s.*, when they could buy it for 5*s.*, and the hon. Gentleman was met with cries of "shame." I should be sorry to cry shame against the hon. Gentleman; but if there is any ground for shame at all, I am afraid it must fall upon him, and not upon the Admiralty. I believe that to be a complete delusion on the part of the hon. Gentleman. I have in my hand an official statement from one of the Admiralty officers, showing that the representation of the Admiralty manufacturing lead at 35*s.* that could be bought for 5*s.* is completely untrue, and that at the lead mills in the Chatham yard, for instance, sheet lead, calculating the expenditure for labour, costs £19 12*s.* 6*d.* per ton, while the present market price in the open market is £20 10*s.*, which is a considerable increase. The same thing occurs in other descriptions of lead, as for instance, in lead piping, which costs at the Chatham yard £21 6*s.* 2*d.*, against £21 10*s.*, the price in the open market. I believe the hon. Gentleman has been induced—I am sure without intention on his part—to make a complete misrepresentation. I will now refer to a point mentioned by the hon. Gentleman in his speech at Lincoln, and to which he has again referred to-night, and where again I believe he has been led into a very great and extensive error. I refer to the cost of the building of our ships. The hon. Gentleman's statements to-night were general; but on a former occasion his statements were specific, and last year he particularly called attention to three ships which he had selected—the *Frederick William*, one of our large line-of-battle ships, the *Brisk*, and the *Cadmus*. I shall have to go into some details, for without going into details it would be impossible to vindicate the Admiralty on those points where justice and truth require that they should be vindicated. The hon. Gentleman stated that the *Frederick William* had cost £281,691, while she might have been built, I presume the hon. Gentleman meant in a private yard, for £134,413. Now, my belief is that it is absolutely impossible for the hon. Gentleman to verify those statements. I know of no process or mode of construing figures by which the hon. Gentleman can prove that that ship cost £281,000. But—and I beg the hon. Gentleman's attention to this view of the matter—I think I have some right to complain of his selecting that ship at all, because she was not a fair specimen of the cost of building an English man-of-war, and for this reason. She was laid down as a sailing ship, and £84,000 was spent to make her a sailing ship, and she was afterwards one of the number selected to be converted into a screw steam man-of-war. An unusually large expense was therefore laid out upon her, and I do not think it fair for the hon. Gentleman to select her, and then, from that selection, to fasten upon the Admiralty a charge of great extravagance. But I have taken pains on this subject, and inquired of those most competent to inform me, and I cannot make out that the *Frederick William* cost more, including all her fittings, sails, masts, and yards, than £197,000; and I think, under the circumstances, that I have some right to say that the hon. Gentleman has made a great mistake. One of his other cases was that of the *Brisk*, a smaller ship, which, he said, might have been built for £49,321, but which had cost in repairs £43,498. I believe these figures are all of them entirely erroneous, and I am sure of this fact, that the *Brisk*, instead of being built for £49,000, really cost, when built, £59,700, while her repairs only cost £38,000. I rely for my figures upon official information, and I think it is to be regretted (assuming that my figures are right, and I cannot imagine that they are wrong) that the hon. Gentleman should make these charges and complaints of extravagance, which excite an outcry from one end of the country to the other, by means of figures which I believe to be entirely erroneous. So with respect to the *Cadmus*. The hon. Member said that vessel might have been built for £68,000, and that she had cost £65,000 for repairs. Here, again, I am told that the facts are totally different, and that she actually cost £85,000 when built, and her repairs cost only £59,000. Well, that shows that in every one of those cases the hon. Gentleman has been mistaken. I will now turn to another complaint made by the hon. Gentleman on several occasions in this House and elsewhere. In his speech at Lincoln he called attention to the fact that 14*s.* 2*d.* was the cost of one article in one of the Government yards, while a similar article cost £1 11*s.* in another of our yards. This is only one instance out of many in which the hon. Gentleman has complained of the inequalities of cost for similar articles which exist in different yards, and I quite admit that that is a blot in the management of our dockyards. I will not dwell upon that point now, because I will revert to the subject before I sit down; but I may say that I think our dockyards ought to be so conducted that such great discrepancies in price should not occur. I will now refer to what the hon. Gentleman has said both on this and on former occasions with regard to the Admiralty accounts; but I shall not trouble the House at much length on that point, because those accounts now stand in a very different position from that in which they stood when I last had the honour of holding my present office. That improvement in the accounts is due, in my opinion, to the steady, persevering, and consistent efforts of the late Board of Admiralty; and I believe that if there are two Gentlemen to whom more than to others our thanks are due for that improvement, it is to the hon. Member for Halifax (Mr. Stansfeld) and the hon. Member for Pontefract (Mr. Childers). That improvement formed one of the most important portions of the Report of the Royal Commission of 1860, and it is only due to the late Board to say that they lost no time in addressing themselves to the subject. I will not dwell upon the details of the changes that were made in 1860, 1862, and 1864, under the auspices of those who occupied the office of Civil Lord, but it is impossible to deny that great and beneficial changes have been effected. I believe the hon. Member for Lincoln is right in saying that these improvements may yet be carried farther; in fact, I believe they have not been carried to the extent to which my hon. Friend opposite (Mr. Childers), who has had so much to do with them, would desire; but the best proof that great improvements have been made is found in the fact that the terms of the hon. Member's (Mr. Seely's) Motion are borrowed word for word from the terms of the Commission of 1860, only omitting that part which referred to the accounts as being no longer applicable. Speaking under correction, for I may be wrong, I think the hon. Gentleman has taken an exaggerated view of the changes that ought to be made in the Admiralty accounts when he urges again to-night, as he has urged continually before, that the accounts and proceedings of our dockyards ought to be assimilated to the proceedings and accounts of private shipbuilding yards. Now, I do not believe that that is a sound or fair view of these transactions. The private shipbuilding yard is conducted for the profit of the owner, but Her Majesty's Dockyards are worked for the defence of the nation, and for the support of our national power. They are altogether on a different footing. The private yard is worked for profit; the public yard is not worked for profit. [*Laughter.*] I congratulate hon. Gentlemen if they find any comfort in that remark; to me it appears that there is small room for it. They must know the sense in which I said that our public yards were not worked for profit; they are worked for national honour and national defence. They differ most essentially from private yards. In a public yard the public, I admit, have a right to expect that the most rigid economy shall be practised; that the public service shall be carried on at the minimum of possible expense; and that there shall be no waste and no mismanagement. But if you tell me that our dockyards are to be worked upon such a system as that you can take the whole expense of every article in the yard, every store or building, and every inch of ground, and saddle a share of it upon the cost of every ship, you are misleading and deluding the public. The hon. Gentleman referred to a pamphlet which has been recently published, and the authorship of which is attributed to the Duke of Somerset, and he noticed, somewhat in terms of ridicule, the fact that the writer has referred to the presence of police in the dockyards. Now, private yards do not maintain a police force; they do not require a school, a chapel, and a variety of things which our great national establishments are obliged to provide. It is unreasonable, therefore, to saddle the cost of every ship with a share of expenses which are not incurred by private yards. I must therefore say that in that pamphlet, whoever may be the writer, a very reasonable and fair view has been taken of the subject. In my humble opinion that pamphlet is written in terms of great fairness and of great moderation, and I think it is calculated to do much good, and to remove from the public mind much misapprehension. I will read one passage from the pamphlet on this subject. It says—

> "The primary object of our dockyard establishments is not to rival private efforts, or to cheapen manufacture, but to secure a large body of skilled workmen, and the machinery necessary for building and repairing our ships of war. If a fleet of iron-clad steamers returned to our ports after an action at sea, and required repair, would the British Government trust to private enterprize? It would be admirable if the enemy would kindly wait while Estimates were asked for and obtained, and the repairs then done; but what opinion would be passed upon a Government who dismantled the dockyards at the demand of manufacturers and economists?"

Whoever may be the writer of that pamphlet I entirely concur in the spirit and scope of that passage. Since I have held my present office I have given directions that the accounts shall be prepared in double column, and that in one column the real *bonâ fide* cost of material and labour for building our ships shall be entered, and, in the other, what would be the cost of each ship if all these extra charges were added, and its own proportion placed to the share of each ship. The hon. Gentleman also referred to the subject of boats; but I do think it a great misfortune, greatly to be regretted, that, while engaged in the task, the laudable task he has imposed upon himself, he should have taken so little pains to verify his statements, and have come down to this House, as he did last Session, with a statement which seemed—I really do not know how to express it consistently with due courtesy—but which was, at all events, so erroneous and exaggerated. In the printed papers from which the hon. Gentleman has drawn his information with regard to boats last year, there appeared in one line, "eighty-three boats repaired at a cost of £700;" and in the next line, "284 boats repaired at a cost of £5,600." The hon. Gentleman, however, took the eighty-three from the first line, and the £5,600 from the second, added them together, and made it appear that eighty-three boats were repaired at a cost of £5,600, and that, of course, was a very grave error. Now, he takes a barge for the Royal family and a barge fitted up for an admiral, and, giving the prices, holds them up as specimens of the cost of ordinary boats. This is a matter for great regret, and the only result will be that the public confidence will be shaken in statements made under such circumstances. I pledged myself last year that I would endeavour to ascertain what were the real errors in our dockyard system, and what remedies that system might require. I have endeavoured to redeem that pledge. I have spared no pains in making inquiries, both in the dockyards and elsewhere, and the conclusion which I have arrived at is that in our dockyards the first thing open to complaint is a certain laxity in the manner in which the whole system is carried out. I attribute that laxity mainly to the fact which we cannot disguise —that these are vast establishments carried on for the most part by persons who have no direct pecuniary interest involved. In large national establishments of this description it is of necessity difficult so to shape your system as to carry them on with that vigour, energy, and close attention to expenditure which exists in an establishment where every shilling tells in the pockets of the owner. I am contemplating measures which I hope will check this laxity; but one great evil —one paramount difficulty with which we have to deal, is the want of a better and more effective supervision. That I believe to be the real remedy, and it is to that, above all others, that I have endeavoured to direct my attention. The plan I propose to adopt I will now explain to the House. In 1862 the late Board of Admiralty, under the Duke of Somerset, made some changes in the *personnel* of the staff belonging to the dockyards, and certain functions of certain officers were changed. The officer who had hitherto been called the Surveyor of the Navy was thenceforth termed the Controller of the Navy. But another and more important change was also made. The management of the finances of the dockyards had previously not been conducted in so satisfactory a manner as was desirable, having been in the hands of the Accountant General, who was overwhelmed with more work than he could well do, with the dockyard accounts in addition to the whole finances of the navy. Under those circumstances, the late Board of Admiralty appointed a gentleman who was well known to that House and the country—namely, Mr. Walker, who had been a member of the staff of the Accountant General. They appointed him to the office of Inspector and Auditor of the Dockyard Accounts. But without intending any censure of the late Board of Admiralty, I must state that in this matter, as it appears to me, they only half did their work. The functions of Mr. Walker were ill-defined; he was called Inspector of Dockyard Accounts, but he had no real authority and no real responsibility, and he was placed in a position from which the public could derive no security that the dockyards would be better managed than they had been before his appointment. That state of things has gone on down to the present moment. When I undertook the investigation of this important subject, the first question that arose in my mind was how we might obtain a better and proper supervision. Upon that point I took counsel with the present Controller of the Navy, Admiral Robinson, a most able and zealous officer; and I received from him much useful information. I asked him whether he was able to manage those vast establishments, the Royal Dockyards, that being theoretically one of the duties attached to the office which he held; and he answered at once that he was not—that he had various other functions to discharge, and that it was impossible he could exercise in that case the necessary supervision. I next asked him whether he would approve of the appointment of a Deputy Controller who should, under his general authority, look after the management of those establishments; and the answer which he gave, after much consideration, was, that instead of creating the office of a Deputy Controller it would, in his opinion, be better to appoint an officer who should do that which cannot be done at present by Mr. Walker—that is to say, who should exercise an effective supervision over the whole of the dockyards. That is the course, too, which the Board of Admiralty now propose to adopt; and we have selected for this purpose Mr. Walker, who is, I believe, the most competent person we could find for the performance of such a duty. We intend to make him, under a new title, Superintendent of Dockyard Accounts; we intend that he shall give his whole time, aided by proper assistants, to the control of the working of these establishments, with the management and superintendence of the great financial expenditure which they involve; and it is to the action of this new officer that I look to put an end to that system of which the hon. Member for Lincoln has justly complained, under which one charge is incurred in one dockyard and another charge in another dockyard, and which is incompatible with perfect efficiency and economy. I am not aware that I need trespass any further on the time of the House. I have endeavoured to redeem the promise which I gave that I would not neglect this great question. I am as anxious as the hon. Gentleman himself can be that this vast Department should be efficiently managed; but I must add that, in my opinion, it is of great national importance that one of these establishments to which we look for carrying on the public service should not be made the object of constant vituperation and attack. Wherever there is room for improvement let us have improvement. But I would entreat the hon. Member for Lincoln to remember that in the management of this business there are engaged gentlemen of as high honour and of as sensitive feelings as himself, and that those gentlemen are depressed, and dispirited, and vexed by these constant assaults. If there are evils in our present system—and I have frankly admitted that there are—let us proceed to their removal, and let us regard that as the great duty we have in this case to perform. I have stated what are the points on which I agreed with the hon. Gentleman, and I have also avowed, although I hope in no hostile or offensive spirit, what are the points on which I think that his allegations are erroneous or exaggerated. Towards the close of his speech he expressed an earnest hope that those who made grave statements would take care to verify them; and I must beg leave to apply that remark to himself. I wish he were a little more careful in all that he says. Whenever he makes what I cannot help regarding as misrepresentations, I shall feel it my duty to endeavour to correct him; but as long as he only seeks to provide a remedy for real evils, no one can be more ready to co-operate with him than I shall be. I have now, in conclusion, only to appeal to the hon. Gentleman not to press his Motion to a division; but if he should persist in submitting it to the House, I shall feel it necessary to move the "Previous Question."

Previous Question proposed, "That that Question be now put."—(*Sir John Pakington.*)

Mr. STANSFELD said, that the main allegation of the Resolutions of his hon. Friend the Member for Lincoln (Mr. Seely) was that the control and management of the dockyards is inefficient, and the constitution of the Board of Admiralty was merely assigned as one of the chief causes of that inefficiency. The speech of his hon. Friend, however, had been mainly directed to establish the proposition that the Board of Admiralty was inefficient and ought to be abolished. Now, it appeared to him (Mr. Stansfeld) that the constitution of the Board of Admiralty was a wider question than that of the control and management of the dockyards, and it was unreasonable to expect that the House should come to a decision upon the former point when it was merely invited to consider the other and the less important one. His hon. Friend, in framing his Resolution, had adopted the words of the able Report of the Commission of 1860, with the exception of that portion of the Report which related to the dockyard accounts which his hon. Friend admitted were at present of a reliable character—and a more useful Commission, and one composed of more able men, had ever reported upon a public department. But every one who knew anything of the state of the dockyards was aware that great improvements had been effected since the publication of that Report, not only in the mode of keeping the accounts, but in the organization and management of these establishments; and he (Mr. Stansfeld) therefore thought that the adoption of the language of the Commissioners of 1860 would imply too trenchant a condemnation of the system at present in force. The main question, then, was not the constitution of the Board of Admiralty but the efficiency or inefficiency of the management of the dockyards; and he would proceed to state exactly where, how, and how far he agreed, and where, how, and how far he disagreed with the reforming views of his hon. Friend upon that subject. He agreed with his hon. Friend that there was still a want of efficiency in the control and management of the dockyards; and he further agreed with his hon. Friend in assigning that inefficiency to the second and the third causes laid down in the Resolution then before the House. But he did not agree with him in referring it to the fact that a Board was placed at the head of our naval system. He believed that they might obtain from a Board the best possible management of a public department, and he was further of opinion that there were many grave reasons why that House should hesitate before it determined on the abolition of the Board of Admiralty. It was very desirable that they should consider what was the extent of the meaning which the public attached to the charge of "inefficient management" of the dockyards. His hon. Friend had made a very moderate speech that evening, but he had spoken elsewhere, and perfectly conscientiously, no doubt, if not in quite so moderate a tone, upon that matter; and the impression produced upon the public mind by his speeches and the speeches of other gentlemen—or, at all events, the notion floating about among the public—was so much more serious than any one would imagine from the course which the present discussion had taken, that he (Mr. Stansfeld) thought it was worth while to endeavour to gauge and measure, and if possible to remove it. If he were to express fully the opinions which, as far as he could learn, many people entertained upon that subject, he should say that they were ready to believe that the dockyards, if they were not at the present day nests of jobbery were at least scenes of waste, which in its economical effects was almost as serious; that the accounts were intended to mystify rather than to enlighten the public, and that any improvement which had of late been introduced into them had been introduced—and this he had heard stated in the House itself—through the force of external pressure and not through the free action of the Board of Admiralty. The fact was that somehow or other everyone seemed prepared to believe anything that might be said against a Board, while no one seemed prepared to believe anything that might be said in its favour. There was a general predisposition to believe that a Board could not manage public business well. Now, with regard to that matter of dockyard accounts, he believed that it first attracted the attention of his hon. Friend (Mr. Seely) in the course of the winter of the year 1863, and that it was first brought by him under the consideration of the House in the year 1864. In the year 1863-4 he (Mr. Stansfeld) served on the Board of Admiralty, and he had for his successor in office his hon. Friend the Member for Pontefract (Mr. Childers). His hon. Friend and himself held themselves responsible for what had been done at that period in the matter of those accounts; and he believed his hon. Friend would be prepared to endorse his statement that the Duke of Somerset and the other members of the Board allowed them to deal freely with that subject, and that for what had been done they were immediately answerable. No doubt they could not hope to manage large public departments so as to be able to compare them favourably with successful private establishments during the period of their not always enduring success, and these, it should be remembered, were the only comparisons ever made in this case. They could not hope to do that unless, in addition to all the departmental energy and supervision which could be brought to bear upon the administration, they were also assisted by the public eye and by the criticism of members of that House who were competent to discuss these matters, and whose criticism was invited by laying the accounts before them. But the hon. Member for Lincoln would not deny that criticism lost half its force and value if it were unjust or even exaggerated, and therefore he felt justified in endeavouring, as far as it was right to do so, to moderate some of the hon. Gentleman's censures. He held in his hand a copy of a speech which his hon. Friend the Member for Lincoln delivered last month to his constituents, and he felt it his duty to qualify some of the criticisms in which his hon. Friend had upon that occasion indulged. His hon. Friend stated that he had found the dockyard accounts exceedingly imperfect, and that no account was given of a sum of £2,000,000 which was expended in building and repairing ships during the four years 1860-3. Now his hon. Friend understood perfectly well the limited meaning which should be attached to those words, but there were many people for whom they would bear a very different and a much larger interpretation. The notion of those persons would be that during those four years a sum of £2,000,000 had been jobbed or at least frittered away and wasted; while his hon. Friend could have merely meant that, although the financial accounts of the navy were, as far as they went, model accounts for any public departments, and gave the House and the country a knowledge of every farthing that had been expended, yet there were not then expense accounts and balance-sheets in the dockyards accounting for the whole of that expenditure, and charging it all against ships and services. So what appeared a momentous revelation amounted merely to this, that previous to 1864 there was no system, or only an imperfect system, of expense accounts in the dockyards. His hon. Friend further said, in the speech which he lately addressed to his constituents, that he had stated that in a document which had been furnished by the Admiralty certain items were omitted, that the truth of that statement had been denied, but that he had proved its correctness to a number of officials at Somerset House, and that the result was that in the last year's accounts from 35 to 40 per cent was set down for incidental expenses, the greater part of which was never charged before. The meaning of that statement was that the improvements in the Admiralty accounts of 1864-5 were not freely and of their own motion, nor even willingly, set on foot by the Board, but adopted only through the pressure which the hon. Member had brought to bear upon the Department by his arguments and speeches. But he (Mr. Stansfeld) should utterly deny the accuracy of any such statement. A short reference to dates would place that matter beyond the possibility of controversy. He joined the Board of Admiralty in the year 1853, and he then spent seven consecutive weeks at Portsmouth for the purpose of examining and revising the system of accounts. At the time he entered the Admiralty there were no exhaustive expense accounts. Sir Richard Bromley, who was a competent accountant and a very able man, would no doubt, if he had had the power, very easily have introduced the system, and was taking steps in that direction. He (Mr. Stansfeld) took no credit for having introduced a system of accurate and exhaustive expense accounts. All the credit he claimed was that, as far as time and opportunity allowed, he had taken pains to carry out the system. Up to the year 1863 there had been only tentative expense accounts. Each ship was debited with the cost of its materials and labour, and with a few other charges, and then, to meet the admitted deficiencies of that system, a certain percentage was charged over and above. When he (Mr. Stansfeld) came to look at the question he arrived at the conclusion that it would be right to do away with this system of dockyard accounts altogether, and to debit to every dockyard every actual fact of expenditure, whether wise or unwise; whether directly incurred in the shape of wages for labour, or in the shape of payment for superintendence and police; and then to place to credit on the other side of the books the whole outcome of the labour. Now all these general items of expenditure to which my hon. Friend referred, and the 35 per cent which was added to the price of labour and material, was abandoned in 1863, and the new system was laid before the Board of Admiralty, approved of by them, and finally laid on the table of this House in the month of March, 1864, while it was since that date that his hon. Friend had addressed himself to this question. He believed, however, he could account for the error into which his hon. Friend had fallen. He had only recently seen the accounts as they were printed for the subsequent years, 1864-5, and he found that the old error had been so far adhered to that an addition of 10 per cent was charged to the items which had already been made exhaustive. He went to Somerset House to inquire into the reason of this unauthorized edition. The reason assigned was not to his mind a good one, but such as it was he gave it to the House. He was told that the rate book was based on these charges, and that the rate book had not been revised since the change in the system of accounts was made. This addition to the cost, he believed, was the explanation not only of this particular error of his hon. Friend, but also of his other charge respecting sheet lead. It appeared from the accounts, said his hon. Friend, that sheet lead, as manufactured at Chatham Dockyard, was charged at £35 per ton, whereas it could be bought at the rate of £5. The inference plainly was that if the Government could not manufacture sheet lead as cheap as private establishments they ought to shut up their rolling mills. But the fact was nothing could be more economically managed than their rolling mills at Chatham; in fact, it was impossible to be more economical, for there was hardly any labour that entered into the charges, and nearly the whole charge consisted in the cost of raw material. But his hon. Friend, looking at these accounts of 1864-5, found there this charge of 10 per cent; he added it to the real charge, and then naturally cried out against the extravagance. This was an illustration of the soundness of the principle he had laid down, to admit nothing into the accounts but the items of actual expenditure. He might add that in 1863-4 there were no exhaustive expense accounts, because there was no valuation of stock and no continuous valuation. Any man of business would see it would be impossible to make accurate expense accounts until these two processes were gone through. His first object, therefore, was to take an account of the stock in hand, and a continuous record of the stock received into the dockyard and taken out would be found in the accounts of 1864-5. He also concurred with his hon. Friend in thinking that, instead of distributing the entire establishment charges over the whole of the ships in the service, it would be better so to arrange them that it might at once be seen in what dockyards the established charges were too heavy in proportion to the labour and material expended. Then his hon. Friend said that these accounts did not include pensions. He agreed with his hon. Friend that they ought to include pensions; for pensions entered into the expense as being really a part of the wages of labour. He came then to the interest that was charged upon the plant. Here he must draw a distinction; whether that interest was to be set down at £46,000, as had been done apparently on good grounds by his hon. Friend the Member for Pontefract (Mr. Childers), or whether it should be £500,000, as his hon. Friend (Mr. Seely) was disposed to estimate it, the House must remember that it was altogether fictitious. It was something of an adventitious nature super-imposed upon the accounts; but it formed no part of those accounts for which the Admiralty were responsible. Then came the question of the rate book. His hon. Friend expressed an opinion that the rate book was a thing they would be much better without. He (Mr. Stansfeld), on the other hand, was of opinion that the rate book was absolutely necessary, and he would show the House why. They made, for instance, yearly purchases of hemp from various quarters and at prices varying greatly from one year to another. They had in store in the dockyard cables made from that hemp, which were supplied to the ships as they were equipped for sea. Now, would it be fair to charge to one ship the full price of cables made from hemp when the material was high, while they charged to another ship a less sum for cables exactly of the same material but bought at a lower price? That would be clearly indefensible. The rate book enabled you to compare the cost of production in one yard with the cost of production in another, so that by means of it a large establishment could be economically conducted. In one column of the account was the actual cost of each conversion of manufactured articles, and in another the rate book price was charged. Therefore, having the figures side by side, it was easy to compare the price of every manufacturing operation with the average cost of that operation throughout the different yards. If you added up the total of the cost and compared it with the total of the rate book column you would get at the difference which in the accounts of 1864-5 was brought into the balance-sheet, and brought, therefore, accurately to account. He hoped that he had now shown that the accounts, as modified when he was in office, were based upon correct principles, and that the improvements which were still necessary were those which had reference, not to the books of accounts themselves, but to the ultimate balance-sheets and abstracts to be laid before that House. He hoped he had also shown that the Board of Admiralty had not adopted these improvements from pressure, but that they had freely been confided to him by the Board to carry out before his hon. Friend began to call attention to these matters. But, to use the happy phrase of the right hon. Baronet the First Lord of the Admiralty, accounts existed only that they might be utilized. Well, he hoped they had been utilized—among other ways, by public criticism. He thought he had the honour of being the first to welcome the criticism of his hon. Friend the Member for Lincoln, and he should feel extreme regret if anything should induce the hon. Member to desist from the course of criticism which he had adopted. But the accounts existed for another purpose, prior both in time and importance to that—namely, in order that they might be utilized in the Controller's Department. In fact, they were so utilized, and he had been given to understand that the accounts of expenditure on wages and materials against ships and services were forwarded weekly to the Controller, and they were available for the superintendents of the dockyards. What they wanted was such an organization as the right hon. Gentleman opposite (Sir John Pakington) referred to in his proposed modification of the Controller's Department. The right hon. Gentleman (Sir John Pakington) informed the House that he had appointed to this new office Mr. Walker, the able head of the Dockyard Accounts, but he did not explain his position, except that he would be placed in closer relation with the Controller.

Sir JOHN PAKINGTON: He would co-operate with the Controller and be independent of him.

Mr. STANSFELD was sure that this arrangement of the right hon. Gentleman would be of great assistance and benefit to the Controller. He was not sure, however, whether the right hon. Gentleman might not have got what he wanted in the Accountant's Department, and he did not know if the right hon. Gentleman's attention had been directed to another department in that office for which he (Mr. Stansfeld) was responsible. He introduced there a new officer as Valuer and Inspector of Dockyard Works, whose special duty was to check all estimates of works, to watch over the quantities required for each undertaking, and to test the quality of the work when completed. His business was to see that the work was done economically, or to know the reason why. He believed that by a combination of these departments—the Accountant General and the Valuer and Inspector of Works being placed, as he hoped they would be, under the same roof—the views of the right hon. Gentleman would be effectually carried out. Let him now refer to the views of his hon. Friend (Mr. Seely) with regard to the construction of the Board. His hon. Friend objected to a Board altogether. But he (Mr. Stansfeld) would remind the House that in all the great business operations of this country, which were carried out on a scale approaching to that of the dockyards, there was either a Board or a very extended partnership. The great thing was for the Board to know how to confer power and discretion upon their subordinates, and to impose on them responsibility. The hon. Member for Lincoln talked of the appointment of such men only as knew their business. On that head he would appeal to the experience of his hon. Friend himself. He had been at the head of a very large manufacturing establishment, and he would ask him whether he ever felt that he was competent to enter into every minute detail in that manufactory of his own personal knowledge? Did he ever feel it necessary that he should have that personal and intimate knowledge of details which he thought ought to be possessed by a Member of the Board of Admiralty, or by a Controller or Superintendent? What they wanted at the head of these large establishments was not simply practical men, but men capable of taking large views. He could not consent to the Resolution if it meant the abolition of the Board of Admiralty, because the Board existed for other purposes besides the management of the dockyards. That was a wide and grave question for the House to consider whether they would interfere with the present constitution of the Board of Admiralty. The tenor of the evidence given in 1860, and the views of those who were called before the Committee, and particularly the opinion of the late Sir James Graham, was very strong against the abolition of the Board. The professional view of the question had been put forward in a readable, and no doubt clever and sound article in the *Fortnightly Review* by Captain Sherard Osborn; but he thought that House would never adopt it—namely, to have in the Navy a double Department, similar to that which at present existed in the Army, with which he (Mr. Stansfeld) believed no officer in the Army was in love; and, further, not being content with an Admiral Commanding-in-Chief, the First Lord should not have a seat in that House, but be a Member of the other House; because they should withdraw the management and policy of the navy from the control and interference of the House of Commons. With regard to the dockyards themselves, he was of opinion that it was advisable to reduce their number. Deptford Dockyard, he thought, might be satisfactorily abolished, because when they compared the expenses with the result they found it did not pay, and the work done at Deptford could be done at either of the other dockyards without any appreciable increase in the establishment charges. Woolwich might also be abolished when a favourable opportunity offered. He was one of those who thought it was unnecessary to have a Royal Dockyard on the Thames. The House must not forget that they were largely increasing the dimensions of our dockyards at Portsmouth, Chatham, and Devonport, and when we had completed the scheme of construction at Chatham, he thought Sheerness would become useless. He concurred with the hon. Member for Lincoln that the expenditure of the establishments should be kept down, and the number of men entitled to pensions reduced to an understood minimum, and the least possible number of ordinary labourers. He also agreed with his hon. Friend that no rule ought to be laid down to the effect that the Superintendent of our dockyards should be a naval man, or that his term of office should not extend beyond three or five years. A man should not be appointed for life, because he might get too old for his work, but he would appoint him for five years, renewable at the end of that time if he was found to be a fit man and capable of discharging his duties. His belief, however, was that, all things considered, the navy would furnish them with the best men to fill those offices. With reference to the Controller's Department, we had a Storekeeper now upon an equal footing with the Controller. That arrangement dated from Sir James Graham's time. At that time the Controller of the Navy had under him the Surveyor on one side and the Storekeeper on the other. The Controllership was abolished, and many years after he was called the Surveyor; but recently he had been again called the Controller, with more authority than the Controller of old possessed, and the Storekeeper should be simply a buyer as subordinate to the Department. He was glad to find that the right hon. Baronet (Sir John Pakington) was about to place the Superintendent of Accounts and the Valuer and Inspector of Dockyards in closer communication with the Controller. The man upon whom ought to rest the main responsibility under the Controller, for the correct and economical business management of the dockyards, was the Inspector and Valuer, who had been appointed in the hope that he would properly discharge those duties; and if he were the Controller he should expect the Inspector and Valuer satisfactorily to fulfil those functions, with reference to the criticisms of the hon. Gentleman the Member for Lincoln, and either be able to forestall them or refute them when made, or if not, to exercise the greatest economy. They had heard and read a great deal about dockyard extravagance, and the notion had been suggested from time to time of the possibility of re-constructing our fleet, and of the saving that might be effected. Now that was a misapprehension and a delusion. The total annual expenditure in our dockyards was always less than £3,000,000, and every business man very well knew that a saving of 10 per cent was a successful economical operation, and that on £3,000,000 would be £300,000. In considering the economical management of our dockyards they should consider what he called the policy of our naval administration—that policy which affected the number of officers and men, and the scheme of their pay and of their pensions—the construction and re-construction of our fleets, and the disposition and employment of those cruising squadrons which at the present time seemed to swarm on every coast. Those were the important subjects which it would be necessary for them to discuss on a fitting opportunity. They were much too wide to be discussed on the Resolutions which had been submitted to the House, but when the proper time arrived for discussing them he should be happy to take his humble share in it.

Lord ROBERT MONTAGU said, that however ready the House might be to acknowledge the great services rendered to the country by the improved system of accounts which had been instituted by the hon. Member for Halifax, yet the Motion before the House must be borne in mind. The question was whether the dockyard system was or was not efficient; and if inefficient, from what causes the inefficiency proceeded. Two courses were open to the hon. Member for Lincoln: he might have attempted to prove the conclusions of the Commissioners, as to the dockyard inefficiency, from the facts revealed in their Report, and from other facts which had come under his notice. This was the course he took. The inefficiency of the system seemed generally admitted; but yet the hon. Member endeavoured to prove it from various positions; he said that the superintendents should not be naval officers, and that they should hold the office of superintendent for more than seven years; he also went into the details of public expenditure, and the private circumstances of the hon. Member for Bristol. The fault of this course was that the evils were not traced to their sources; the hon. Member had not gone to the root of the matter. Assume it to be all true which he had asserted, yet he had not shown the causes, and therefore could suggest no remedies. The other course which was open to him was to assume the correctness of the conclusions to which the Commissioners had arrived after their very laborious and detailed examination of the matter, and then to turn round on the Minister and say:—The inefficiency of the dockyard system was clearly established in 1861, and the causes of that inefficiency have been proved; what has since been done to remove those causes? Remedies were then suggested; which of those remedies have you adopted? The hon. Member for Lincoln had taken the words of his Motion from the Report of the Commissioners of 1861, with one remarkable omission. The first cause to which they assigned the proved inefficiency was "the constitution of the Board of Admiralty;" this debate had left the truth of that conclusion, in regard to the present time, still in doubt; because the right hon. Baronet (Sir John Pakington) surrendered what the hon. Member for Halifax defended. It was therefore open to outsiders to doubt whether the constitution of the Board was not still one of the causes of non-efficiency. The second cause ascribed by the Commissioners was "the defective organization of subordinate departments." That point he would leave for the present, as he would afterwards enlarge upon it. The third cause ascribed was "the want of clear and well-defined responsibility;" and here the right hon. Baronet yielded the position to the hon. Member for Lincoln, because he admitted that there was a want of such responsibility. The hon. Member for Halifax had virtually done the same, when he advocated the creation of one undivided responsibility for the whole. The fourth cause assigned by the Commissioners was not noticed by the hon. Member for Lincoln. It was "the absence of any means of effectually checking the expenditure and the want of accurate accounts." In this sentence two causes of inefficiency were ascribed. The latter had been very much removed by the exertions of the hon. Member for Halifax. More was about to be done in the same direction by the First Lord of the Admiralty. He was going to appoint a "Superintendent of Accounts," to remove the anomaly of "one price being charged in one yard, and another in another yard." It was evident, therefore, that this new office was to be merely a check after expenditure. But the Commissioners had also adverted to "the absence of any means of checking the expenditure," and by that expression the Commissioners meant, as he conceived, some means of checking the expenditure before it took place. On this point nothing had been done. He would presently show what the Commissioners possibly contemplated. The Commissioners proposed seven or eight remedies for the evils which they mentioned. These might be reduced to two heads. They recommended that all the subordinate departments should be entirely independent of each other, but that all should be placed under the Controller General of the Navy, to whom alone the Minister should look for the efficiency and economy of the dockyards. The Storekeeper General is especially mentioned; they recommended that he should be placed entirely under the Controller. This, they said, would obviate the frequent complaints that the description of timber (for example) which is sent is not according to the requisition, or that it is "not of the contract dimensions," or that it is "in excess of the quantity required." For it appeared that a loss of as much as £100,000 was sometimes occasioned when contractors sent in timber in too great a quantity, or not of the proper scantling; which the storekeeper at the dockyard was always very apt to receive. They also recommended that the head of each department should have the appointment of the officers in his department; that those appointments should be taken out of the hands of the First Lord of the Admiralty; as that functionary was liable to be influenced by political objects, and election jobbery was likely to take place in the dockyards. Very little, he believed, had been done to carry out those recommendations of the Commissioners. At the end of the Report of the Commission of 1861 there was to be found a detailed memorandum of the Controller of the Navy, Admiral Robinson, in which that gallant officer complained that the Controller of the Navy had "no authority in the dockyards, and therefore no direct responsibility." He also especially mentioned the Storekeeper General, and complained that he "is entirely independent of the Controller." Admiral Robinson therefore recommended, as the remedy, that the Storekeeper's Department should be consolidated with the Controller's Department. The Controller's Department would then have four distinct branches. 1, the Ship Building Branch; 2, the Engineers' Branch. These there were already. 3, the Account Branch; the business of which would be to estimate the money value of the stores, and keep an account both of those which came in and those which went out. This would be the substitute for the Storekeeper General's Department. He understood the hon. Member for Halifax to say that this part of the recommendation had also been carried out, and that this branch was called "the Stock Account Branch." 4, the fourth branch of the Controller's Department, according to Admiral Robinson's recommendation, was the Store Supply Branch. Thus only, said Admiral Robinson, can "the Controller be directly responsible for all the control and management and expenditure of the dockyards." The hon. Member for Halifax said that "the Storekeeper, who was the buyer for the Controller, ought to be put under the Controller's orders." Thus he also seemed to recommend the creation of a Store Supply Branch. How were the different stores purchased? They were bought sometimes by public advertisement for tenders, and sometimes by private tender. Occasionally, the purchase by private tender was proper, as particular firms might make certain articles of machinery or patent anchors better than other firms; but he was afraid that in many other cases, where the stores should be bought by public tender, they were kept in a few hands, by means of limited or private tenders. He thought that the purchasing was the point where a check on expenditure was required. This he conceived was the meaning of the fourth cause of inefficiency and extravagance ascribed by the Commissioners. In the Contractor's Department an officer, called the Registrar of Contracts, was appointed a few years ago by the Duke of Somerset; and the reason assigned for the appointment was, that there ought to be some check on the expenditure before the expenditure had taken place. That is to say, as this House was the check on the National Expenditure before it had taken place, and the Audit Board was the check afterwards, so in the Departmental Expenditure the Contract Department should be the check before, and the Departmental Audit afterwards. But, in practice, the Registrar of Contracts only registered the acts of others, endorsing transactions which had already taken place without his sanction, and giving legal effect to agreements which had been made without his cognizance. There was, therefore, no check on extravagance of expenditure here. When the head of a department was already overburdened with work and confused by multiplicity of details, it was not to be expected that in making purchases he would trouble himself by haggling for the reduction of a farthing in the cost of this or that article; though where large quantities were bought, as in the case of timber, the difference of a farthing in the price might save thousands of pounds to the country. Therefore, there ought to be some person appointed, whose sole business should be to make these purchases, and to reduce the price before purchase as much as possible. There should be a check on the expenditure before it was made. That check can be obtained only by providing as far as possible a single and undivided responsibility. This was the true principle of checks, whether in national or departmental administrations or expenditure. Each department should alone be responsible for its own service, and for that service only. Now, however, the sub-departments in the navy not only administered their services, but also made purchases; they purchased what they liked, when they liked (that is, whatever the state of the market might be), in whatever manner they liked, where they liked, and on whatever terms they liked. It was always pleasant to a department as well as to an individual to spend money, and especially the money of others. Still more likely was a department to be careless in spending money, for that money belonged not to an individual, but to many; and the head of the department was too busy with details to be strict in purchasing. The latter power—the purchasing power—he would take away from them and transfer to the Contractor's Department. The Contract Department could then be made responsible for the expenditure, and the departments for the efficiency of their several services. The latter would make requisitions for what they wanted; and the Contract Department would buy for them. They would watch with jealousy the expending of their votes by another department, and would soon make it known if there were any careless expenditure, or if they were furnished with a bad article. The love of spending must be checked by another mental tendency. You must call in departmental jealousy to meet the departmental love of extravagance. This was the principle which the House affirmed last year in the Audit Bill; and it was the only true principle in every case. A check on the expenditure would then be introduced, when the administering departments jealously watched the department which spent the money.

MR. CANDLISH said, the hon. Gentleman the Member for Lincoln (Mr. Seely) was entitled to the thanks of the House for the important services which he had rendered in calling attention to this subject. The allegations of insufficiency made by the hon. Member for Lincoln, although not in the precise direction, had been confirmed by the speech of the First Lord of the Admiralty. No one impugned the grounds of the proposition of the hon. Member—namely, first that those who governed should understand the matters upon which they governed; and it was notorious, as a matter of fact, that not a few of those appointed to govern our naval affairs were unacquainted with the matters over which they presided; another ground was that having a good servant, it was the duty of the Department to retain his services; but the present system superseded those services at the end of three or five years—a blot on our system, admitted by the hon. Member for Halifax and by the First Lord opposite (Sir John Pakington.) Although the Board of Admiralty had been administered by some of our ablest men for years past, yet they did not hesitate to admit that many grounds of complaint still remained, and ought to be removed.

MR. SHAW LEFEVRE claimed the indulgence of the House in addressing it on the Motion of the hon. Member for Lincoln. He had been for a few weeks only a Member of the late Board, and most of the matters which had been referred to in the debate had occurred two or three years ago, consequently he feared he should scarcely do justice to his late colleagues. He should not, indeed, have ventured to speak on the present occasion if it had not been that during the autumn he had had an opportunity of visiting the only two countries with the navies of which we need concern ourselves—the United States and France, and acquainting himself with the organization of their dockyards. Many hon. Members would recollect that an hon. Baronet (Sir Morton Peto) had last Session told the House that having recently visited the dockyards of America, he had come away with feelings of humiliation for his country. He (Mr. Shaw Lefevre) felt bound to say, however, that to his mind there was no comparison between our dockyards and those of the United States. The American establishments were under the superintendence of naval men, and the minor officials were precisely of the same character as they were in this country; but politics were allowed greatly to interfere. It was the usual course in America that the minor officials of dockyards, but not the superintendents, should be changed with the change of Government. While he was in the United States President Johnson made a great many changes, and amongst them were a large number of dockyard officials. Such a practice he should think must greatly interfere with the efficiency of the system, but it probably did less harm than would be the case in this country; for Americans seemed to be more ready than Englishmen to turn from one profession to another. Comparing what he had seen at Portsmouth and Plymouth with what he had seen at Philadelphia and Brooklyn, he could not for one moment doubt that our yards were infinitely superior. The supervision of labour was better, the work was better done, and the diaries of labour and the accounts generally were more perfect in our yards than in the American. The Americans manufactured a great deal more than we did, especially in the matter of anchors, cables, and machinery. He was told that they had found it necessary to do so because they could not get work of such excellent quality from private firms; and the experience which they had had in the blockade of Charleston and Wilmington had shown them the supreme importance of having good anchors and cables. This circumstance might be quoted in explanation of the conduct of the Admiralty in purchasing their anchors from Messrs. Brown and Lenox, who for a long series of years had continued to supply the very best anchors. With respect to the central Administration at Washington, it was more simple and complete than our own; it was a Government of civilians, and it was divided into nine Departments; but it differed from ours in having no responsibility to Congress, for the Secretary of the Admiralty had no seat in Congress as our First Lord had in Parliament. It must be recollected also that in America the military professions were much more under control of the civil than was the case, or could be under present circumstances, with us. If, like the hon. Member for Bristol, he felt any humiliation while in America, it was with regard to the manner in which the navy of this country had been discredited by the speech of the right hon. Gentleman at the close of last Session on the state in which our navy was left by the late Board. He believed that that statement was unfounded; but it should be recollected that the remarks made in that House went to other countries, and formed public opinion there. That was the case in America and France, in both of which countries he had found an universal belief among civilians that our navy was no longer to be feared. When he asked for the grounds of such a belief he was almost always referred to the speeches of the First Lord of the Admiralty, the statements in which, he was bound to say, had been greatly exaggerated by the press. [Sir JOHN PAKINGTON: Hear, hear!] And here he was requested by Sir Frederick Grey, one of the members of the late Board, to explain that the memorandum which he had left on the state of the reserves of the navy, and which had been produced by the present Government, had been completely misunderstood. Sir Frederick begged him to state that he was not referring to the state of the navy generally, but to a certain small class of vessels—namely, paddle-wheel steamers—a matter of very minor importance—and that he was making no reference whatever to iron-clad vessels, corvettes and frigates. It would be gratifying to the hon. Member for Lincoln to know that there was a very simple explanation of his complaint respecting the *Favourite.* When that vessel was sent out Palliser's chilled shot had not been adopted, but she had steel shot on board and the ordinary cast-iron balls; nor had the American squadron any better armament. There was one point on which he agreed with the hon. Member for Lincoln—namely, as to the post of the Controller of the Navy. If a civilian could be found fit for the post, he ought to be placed there, but he did not believe that a person better qualified for the office than Admiral Robinson could be discovered. If competent civilians could be found for the offices of Superintendents of Dockyards, by all means let them be appointed, but he apprehended that it would not be easy to find suitable men. In both France and the United States the superintendents of dockyards were naval men—the reason given in both cases being that naval men were on the whole found most competent to deal with the various matters which came before them, and which included many things besides the building of ships. As to our dockyard accounts he could only say that they had been very greatly improved by the late Board, but they were yet capable of some improvement. They wanted another chapter showing the correlation between the sums voted in the Budget and the expense accounts of the same year, and when that was supplied they would be in some respects better than those of the French navy. He might observe that the valuation of our neighbours' fleet was set down at £18,000,000; that of their docks, including the breakwater at Cherbourg, £15,000,000; and that of their stores, £10,000,000. He did not find that in the value of their ships they included interest on the value of their stores and buildings. He could see why we should do so. We had large stores not for the purpose of immediate manufacture but as a reserve in the case of war so as to be prepared for emergencies. The hon. Member for Lincoln, however, was quite able, for purpose of comparison with expense of building in private yards, to add a *pro rata* charge for stores and plant to the cost of every vessel, if he could persuade anybody that that was a fair course to take. The same remark applied to the police and some others of the incidental expenses. The hon. Gentleman found fault with the Duke of Somerset's calculation of the amount spent on the dockyards during the last six years; but he thought that the noble Duke's calculation (£12,000,000) was perfectly accurate. For that sum 109 vessels had been built, while the average number of ships in commission that had been repaired was 210, and the average number of ships in reserve which had been repaired and refitted was 350. It was quite clear, then, that the operations of our dockyards were enormous, and though he did not deny that there was a margin within which economy might be possible, he did not think that much could be done in that way so long as our policy required us to keep up squadrons in China, in the Pacific, at the West Indies, and in almost every other part of the world. With respect to the late Board of Admiralty, it was true that the office of Civil Lord, which he held for a short period last year, witnessed numerous changes during the preceding six years; but the Duke of Somerset, Lord Clarence Paget, and Sir Frederick Grey were members of the Board during the greater part of that term, and there had been a continuous system of management, which had, he believed, rendered greater service to the public than had been of late represented. He might add that its policy had been equally uniform; and he trusted that if the present Board lasted as long, it would be able, when it left office, to give as good an account of its doings, and receive more credit from the public than their predecessors.

MR. SCOURFIELD, having lived for a number of years in the neighbourhood of a dockyard, knew a good deal of what was going on in the naval establishments, and he could not concur in the general censure pronounced by many hon. Members on the administration in our dockyards. It was he thought unfair to compare the management of the dockyards which should be carried on on the principles approved of by the House, with that of private dockyards, as to which no such restrictions existed. The creative and the critical faculties could scarcely be exercised together. He considered it a salutary thing that the Board of Admiralty was responsible to Parliament, as he believed that evil could not long exist from the fear of exposure in that House. The discussions which took place in Parliament were a sufficient guarantee that whatever might be wrong would not be long allowed to remain unremedied. He had sat on Committees in which the questions under discussion had been considered, and the opinion expressed by the majority of the witnesses examined was to the effect that it would not be desirable to separate the action of the Board of Admiralty from the control of the House of Commons. With reference to the comparisons instituted between the public and private dockyards, he might mention that he had some disagreeable experience of the management of private concerns as an original shareholder in the *Great Eastern* concern, not, however, to an extent to call for any large amount of sympathy, but sufficiently to show him how such matters were conducted. If what happened in that instance had happened in respect of any of our public dockyards they never would have heard the end of it. The *Great Eastern* was, no doubt, a very useful vessel, but she was a splendid monument of the fact that all the great movements of the country depended upon the supply of that very valuable class—the dupes. With regard to the keeping of the dockyard accounts, he remembered one of the superintendents saying to him, some years ago, that when a ship was built more economically in his yard than she would have been in one of the others, he got no credit for the economy, owing to the accounts being mixed up. Now, he thought a separation of the accounts would be useful. He believed that naval officers made the most efficient superintendents of the yards, among other reasons, because there was a general confidence felt by the workpeople in their perfect impartiality. He did not lay much stress upon the familiarity possessed by a superintendent with some one kind of work, believing that where operations of the most diverse kinds were necessarily conducted in one and the same yard a general power of governing well was better than mere detailed acquaintance with some special branch. The rule under which superintendents were compelled to leave the yards on hoisting their flag as admirals had the effect he thought of shortening their term of office injudiciously. In the yard with which he was best acquainted, owing to this rule only two superintendents had served out their full period of five years. It would, he thought, tend to better management if the period of holding the office of superintendent were extended.

MR. SAMUDA only ventured to occupy the attention of the House for a few moments upon one portion of the statement of the hon. Member for Lincoln (Mr. Seely) which took a wide and extensive range. The subject to which he alluded was that which had reference to the Storekeeper's accounts of the navy, and to the Controller's Department. It had been generally admitted that considerable improvement was effected during the last year in the accounts of the navy. He had no doubt that was so; but on looking over those accounts he could not help feeling that, whatever amount of knowledge was possessed on the part of the Controller, who was supposed to understand all those accounts, it would be quite impossible for any one to arrive at a sufficiently clear and satisfactory knowledge of the cost of each department to enable him to form a judgment as to whether the cost of the work done was reasonable, or the object of it a proper one. It seemed to him that there should be no great difficulty in assimilating the manner of compiling the accounts in the dockyards to that in private yards. The whole object of an account was to place clearly and accurately before a person the amount that had been spent, and the manner in which the different items comprising the whole had been apportioned; and there ought to be little difficulty in accomplishing this, whether in a Government establishment or in a private one. The accounts in their present form did not enable hon. Gentlemen to ascertain what had been spent on each vessel, which was a piece of information that was of the first importance. He also considered that it would be impossible to arrive at a satisfactory arrangement unless the whole of the accounts connected with the constructive department were removed from the Storekeeper's department and put under the control of the Controller, for divided responsibility must always be a source of confusion and mischief. The hon. Gentleman proceeded to explain that one cause of difficulty was that the materials used in shipbuilding yards came into the dockyards in one form, and left the yards in a very different form and with a very different value, and unless this was kept in sight, and a simple plan adopted of estimating the difference and of correcting any excess or deficiency in it, errors must inevitably ensue. He did not, however, consider that it was necessary, except for the purpose of instituting a comparison between the expenditure in public and private yards, that interest should be charged in the accounts upon the plant in the dockyards, because the case was not the same as in the private yards. The expenditure was voted every year without, of course, any expectation that any interest upon the plant in the dockyards would be obtained.

MR. CHILDERS said, that the principles which were now generally admitted to be the only sound basis for dockyard accounts were explained in a memorandum which he laid upon the table in the latter part of 1865. He was glad to see that this paper had received the general approval of the House. He considered that the hon. Member who had just spoken had rightly laid down the state of the case with respect to two points in the accounts which had been questioned by the Member for Lincoln. He had correctly explained the principle on which the rate book prices should be adjusted from time to time, and also that the difference between the rate book value and the actual cost of articles shown in the manufacturing accounts should go either in the reduction or in the increase of the incidental expenses spread over the ships of the year, before the balance was struck. He had also rightly argued that the sum taken in the shape of interest on the plant ought not to be classed with the actual expenditure, but should only be estimated for the purposes of comparison with private yards. He (Mr. Childers) did not pretend to assert that the accounts, as they were now laid before Parliament, could be said to be perfect. It was no light task, he could assure them, to effect a revolution in accounts amounting to millions, referring to seven different establishments, containing a vast number of different shops and factories, which had for a long space of time been compiled by the officers in a particular manner. He considered that it was much better to work the necessary change gradually, and in a tentative way, by the substitution, as far as possible, of sound for unsound principles, rather than attempt to revolutionize the whole method at a stroke, which could only have ended in failure or in delay in the presentation of the accounts. There were three elements of a general balance-sheet in accounts of this nature. The first was the cash account, and it was necessary that the account of the expenditure of each year should be so stated that it might clearly be seen how much had been applied to the dockyards, exclusive of all other services. The next was the store and manufacturing account, showing the amount of stores in stock at the commencement and end of the year, those received and issued, and the result of the processes of conversion and manufacture. The third was the capital account, which ought to show the value of the plant and public property in the dockyards, and the depreciation and cost of maintenance during the year. These three accounts should be brought together in a general balance-sheet. If his hon. Friend who had criticized the accounts of the dockyards would refer to this paper and the forms attached to it, he would see that when carried out they would complete the accounts of the dockyard. He was not blaming the present Board of Admiralty for any imperfection in these accounts up to the present time, but pointing out the further steps which should be taken to carry out to the full the object of his paper. He fully agreed in the suggestion that the general charges should be distributed over each dockyard, instead of being stated in lump, and he hoped that this would be shortly carried out. The Member for Lincoln contended that the amount put down as interest on capital was insufficient, and that it ought to be £500,000 instead of £46,000. But this idea was, in his opinion, founded on an entirely erroneous view of what the dockyards really were. The object of the Royal Dockyards was not merely to build ships in time of peace. If we were never to contemplate a great foreign war, and only had to keep the police of certain seas, and to move about troops and distinguished persons, we should condemn the dockyards as a nuisance, and contract for our ships with private firms. The House would not tolerate dockyards on such a theory, and would not expend £5,000,000 or £10,000,000 in their construction, or keep £5,000,000 worth of stock in them for any such purpose. The dockyards were maintained in order that we might be prepared for any sudden outbreak of war, and were thus one of the best guarantees for peace; and it was therefore absurd to charge as a matter of business, and for comparison with private trade, the interest on the stock, plant, and value of dockyards maintained for purposes of war. But we had sought for a sound principle, and it was thought fair to charge 3 per cent on what was called the "out-turn" of the year, and for this reason, that on the average of years it was found that in the private trade the outturn was about equal to the value of the plant and stock in hand. That principle was arrived at after due inquiry among private firms. Having stated these few points in connection with the Admiralty accounts, he hoped that he might be permitted to say a few words upon the general merits of the question. The management and control of the dockyards had been condemned as inefficient; and the question had also been raised whether the department should be administered by means of a Board or by means of a Secretary of State. Without entering into this last question to any great extent, he would say that the management of great manufacturing establishments was not the only duty of the Board of Admiralty. Whether this was better intrusted to a Board or a Secretary of State was a fair matter for discussion; but before abolishing the Board it would be necessary to consider its action in other and far more important matters, and also the machinery to be substituted for it. If, for instance, the navy was proposed to be administered as the army is, by a Secretary of State in Pall Mall and a Commander-in-Chief in Whitehall, he would infinitely prefer the present state of things. But as to the dockyards, he was ready to admit that a Board was a bad administrative machine. The House looked very little at the patronage of the navy or to the movement of the fleet, which used almost solely to engross consideration, but paid great attention to the proceedings of the Admiralty as supervising these manufacturing departments. The responsibility for them to the House should therefore be undivided; and the advice of the late Sir James Graham in 1860 was, he thought, sound—namely, that the First Lord should look to the business department as little as the head of the Board, and as much as a Minister of Marine, as possible. He would point out one way in which this might be done to great advantage. The Board consisted of two civilians, the First Lord and Junior Lord, and four Naval Lords. The business of the dockyards was specially under the supervision of the First Sea Lord; but the purchase of stores and other incidental matters of that kind were under the management of another Sea Lord. The result was that these two Sea Lords, who might not be Members of that House, and the senior of whom had not been during ten years past, were the members of the Board of Admiralty who were specially concerned in the dockyard administration, and who were practically, over the Controller, the managers of the dockyards. That he would suggest was an unsound system. What were the primary functions of the First Sea Lord? He was what might be called the Commander-in-Chief of the Fleet, responsible for the movement of our squadrons and for the selection of the ships, and he was, so to say, interested in there being as large an expenditure as possible upon the navy. His business was to bring the efficiency of the fleet to the highest possible point; and, however able or honest he might be, the very nature of his functions as Naval Commander-in-Chief could not but incite him to increase the outlay upon ships. The First Sea Lord, therefore, who was in that sense "the spending Lord" as to the fleet, ought not to be the same member of the Board of Admiralty who had the general management of the dockyards, and to whom they must look to carry out the greatest practicable amount of economy. He would recommend that the First Lord of the Admiralty, when he was a Member of the House of Commons, and when not, that the person representing the Board in this House should be what is called the superintending Lord in respect to dockyard economy, and the member of the Board to whom the Controller should look, and whom he should consult in matters concerning the dockyards. If that change were made, and the Parliamentary representation of the Admiralty in that House were directly responsible for the management of the dockyards, he felt sure that the right hon. Baronet (Sir John Pakington) and the Controller would be in a much more satisfactory position, and that the House might then expect to see a more economical administration. It also appeared to him, from his experience, that there was a good deal of double action, that although the Controller was made the channel for conveying orders to the dockyards, yet sometimes orders went from the Admiralty to the dockyards without being sent through that officer. That, he thought, was wrong; all orders should go through the medium of the Controller to the dockyard, and he should be entirely responsible for their work. The House should see that there was not a double, or even a treble responsibility as to these matters. With regard to the superintendents of the dockyards, he was bound to state that he concurred to a great extent with the hon. Member for Lincoln (Mr. Seely) as to the inexpediency of the present arrangement, under which no civilian could be the Superintendent of a dockyard, and no Superintendent could hold office for more than five years, while if in the meantime he obtained high professional rank he was at once dissociated from the dockyard. It was not desirable that the civil officers employed in the dockyards should be led to think that they had any right to be promoted to the post of Superintendent; but the Government ought not to be debarred from appointing a good civilian to such an office. And so, also, when a good sailor filled it it was most unwise that as soon as he had learnt his trade he should be "shunted" off merely because he had risen to a higher rank or because his five years had run out. Again, among the officers in the dockyards he thought there were too many grades; and during the year he was at the Board one of those grades—namely, the rank of measurers—was done away with, decidedly to the benefit of the public service. But there were still in the shipbuilding department of the dockyards six ranks—namely, the master shipwright, the assistant master shipwright, the foreman, the inspector, the leading man, and the shipwright, besides the subordinate labourer. There was no private establishment in which it was found necessary to have so many ranks in the hierarchy of administration; and it would be better to reduce them, probably, to four, or at least five. His hon. Friend the Member for Halifax (Mr. Stansfeld) had spoken of the absolute necessity of reducing the establishment; and there was no change which the late Board of Admiralty had carried out with greater success than their gradual reduction of the establishment. What they required to have was a permanent nucleus of skilled artizans, admitting of a large expansion in time of war. But they had a large number of common dockyard workmen still called established who could not be discharged without receiving considerable compensation, and who were entitled after a certain time to a pension. He trusted the right hon. Gentleman opposite would dispose of that class altogether, by letting it die out gradually, and also by reducing a considerable number of the established shipwrights. With respect to the number of dockyards, especially the three dockyards in the Thames, there could be no doubt that they ought to get rid of two of them. Sheerness must be got rid of as soon as the extension of Chatham was complete; and they might, at the same time, perfectly well dispense with Woolwich, and transfer to Deptford some of that work connected with the receipt of stores and machinery that now went on at Woolwich. It would also be most prudent to abandon all shipbuilding at Deptford; and as to Woolwich, he made no doubt that when the depression of the shipbuilding trade was at an end it could be leased at a great profit, and, at the same time, would almost be available for the navy in time of war. A very considerable improvement would thus be effected. By having fewer dockyards, and in that way reducing the unnecessary business that passed through the Controller's Office, they would add to the efficiency of that office; and by reducing the grades of the officers and increasing the responsibility of the principal officers in the yards, they would meet the objections urged by the Commissioners of 1860. And if the principles stated by the right hon. Gentleman opposite were fully and fairly carried out by the present Board, the House would have great reason to thank the right hon. Baronet, as well as to thank the hon. Member for Lincoln (Mr. Seely), for having consistently brought forward these Motions for a series of years, by means of which, though with some mistakes—he would not say how many—he had done much good service, and contributed to enforce reforms much needed for the efficiency of the service in the difficult time of transition through which we were going.

MR. DALGLISH rejoiced to hear the declarations made that night on the subject of the reform of the Board of Admiralty by the right hon. Baronet the First Lord, and trusted that the needful alterations would be effected without any unnecessary delay. The conversion of vessels from one class of ships to another had been often referred to as not having proved very beneficial to the country; but there was another kind of conversion which was, perhaps, equally open to criticism—he meant that undergone by great naval reformers who, as soon as they got appointed to the Board of Admiralty, were found to stand up for continuing things very much as they are. He sincerely trusted the right hon. Gentleman would be able to carry out his good intentions, for he had no hope that any reform would come from his own side of the House. He was of opinion that every person connected with the Admiralty should be appointed by, and be responsible to, the First Lord of the Admiralty, and that the office of Storekeeper should be entirely abolished. He concluded by thanking the First Lord of the Admiralty for his promise.

Colonel SYKES remarked that an hon. Gentleman had made a comparison between the naval establishments of England and America, and had drawn a conclusion favourable to the former; but he had not offered a single figure for the consideration of the House to justify those conclusions, and such arguments, therefore, were little better than beating the air. It would be more to the purpose if a comparison were made with a State nearer home, whose naval progress had greatly alarmed many Members on the Conservative side of the House; and from an official report, as regards the constitution and practice of the French navy, which he held in his hand, he found that the head of the French navy was a Minister of Marine, who alone issued orders, who alone was responsible, and who took care that his orders were obeyed. He had the assistance of a Council of Admiralty, in which there are four Vice Admirals with £800 per annum each, a Rear Admiral, a Director of Naval Construction, and a Commissary General, each with £600 per annum. The Secretary has £360 per annum, as contrasted with the English First Secretary at £2,000 per annum. In this Council two Captains of the navy have seats with £200 per annum each, and lodging money. The Minister of Marine has also the assistance of a Council of Works, in which are a Vice Admiral, two Rear Admirals, one Captain of the First Class, and two Chief Engineers for Construction. He has also under him Inspectors of Artillery, Engineers, Infantry, Hydraulic Works, and the Medical Department. The French Admiralty Establishment consists of 318 persons, besides the Councillors, and in 1865 the total cost was £73,036. The English Admiralty in the same year employed 451 persons, and cost £175,957. The Admirals and naval officers who sit as advisers to the Chief Minister of Marine in France must each of them have passed a mathematical examination, while such a qualification seemed to be deemed of no consequence whatever upon our Board of Admiralty. Then at the dockyards in France a debtor and creditor account was kept of all the materials used in the yards, both as regards quantity and value. For instance, 10,000 cubic feet of timber value "so much," are entered on one side of the account on receipt; and when issued for work it appears on the other side of the account, as 3,000 cubic feet value—so much for such and such a ship, or purpose—and such entries enabled the manager of the yard at any moment to ascertain what stock was in the yard by the simple process of adding up four columns of figures. Until new forms were introduced by the hon. Member for Halifax no system of account-keeping worthy of the name was practised in our naval yards, while in India a system similar to that carried on in France had been in use for the past thirty years. As to the cost of our navy compared with that of France, he found that in 1865 the French navy, the activity in which had caused a panic in England not long ago, cost £5,131,826, as compared with £10,394,421 for our navy during the same time. He thought that the manner in which things were now conducted was inconsistent with the interests of the country, and that a good deal of money might have been saved with a little economy, and he believed that the establishment of a Secretary of State for the Navy and the re-organization of the Admiralty Establishment, would be equally conducive to efficiency and economy. Whatever might be the result of the Motion, he was quite sure the hon. Member for Lincoln (Mr. Seely) deserved the thanks of the country for the attention which he had bestowed on the subject.

Mr. BASS was of opinion that there was a large body of Gentlemen in the House who regretted the manner in which the naval patronage was abused, every post, from that of a naval cadet to that of an admiral, being filled up by patronage and favour. That, however, was a subject which he should probably again refer to on some future occasion. He might mention, however, an anecdote in which he was personally concerned, which would exemplify the manner in which some of our affairs were conducted. An application was made to him by some gentlemen connected with the Admiralty to allow them to see a manufactory of his for making casks by machinery, and having complied with the request, four or five intelligent and competent men paid a visit to his works, inspected his machinery, and expressed their admiration of it. A very few months afterwards he was invited to inspect machinery put up at Woolwich, and having seen it he considered it was better than his own, and on expressing his surprise that those who possessed such good machinery should pay him a visit, the gentleman by whom he had been invited informed him that his former visitors were connected with the Admiralty, and occupied another portion of the yard. He then ventured to express his wonder that the machinery had not been shown to his visitors, and that they had not availed themselves of its evident advantages, upon which he was told that if the people from the department he was in showed those connected with the other department how to make sawdust into gold-dust, they would still refuse to have anything to do with it. The mode of making contracts for the Admiralty was most defective, and in the purchase of timber and staves he could show them how to save a very large sum indeed. He suggested that the First Lord should consider whether some improvement could not be made in the mode of giving out the contracts.

Lord JOHN HAY did not believe that there was any more apathy in the House now than formerly on the subject of navy patronage; but the fact was that things were no longer as they had been, and it was no longer necessary for the House to exercise that sharp supervision over the actions of the Board that was formerly employed. He wished to ask the First Lord of the Admiralty whether he would lay on the table of the House the circular issued by Messrs. Ryland, and also the communication of Dr. Percy on the subject of ballast? He asked for the production of the former document, because he was informed that its effect was not exactly that stated by the right hon. Gentleman, and that Messrs. Ryland did not state that they would give £6 per ton for the ballast, but that they wanted 5 per cent for selling it.

Mr. OTWAY said, that the interest in the question before the House had subsided to a great extent since the right hon. Baronet the First Lord of the Admiralty had stated that if he remained in Office he should consider it his duty to consult his Colleagues about some important changes. Personally, he regarded as the great fault in our dockyard system the fact that there was no one connected with any of the establishments directly interested in the exercise of economy. He would suggest the encouragement of competition between the different dockyards, and that a premium should be awarded to the men in one dockyard if under similar circumstances they produced vessels at a less cost than in another dockyard. At present every effort was devoted to the production of a superior article, and no attention at all was devoted to economy. The two ships which had of late years excited the greatest admiration were both built at Chatham, and the *Wyvern* and the *Scorpion*, which have been so generally decried, were built at a private yard belonging to an hon. Member, who was not then in his place. He hoped the right hon. Gentleman would lay upon the table the Report as to the value of the iron. He thought that on this subject there had been some mistake. It must not be forgotten that, although it was now valued at £100,000, the iron had done good service since it had been laid down as a pavement. The heavy weights continuously traversing the yard would have entirely destroyed any pavement of wood or stone. ["Oh!"] He could assure hon. Members that had the yard been paved with stone it would have required continual repairs. Therefore, laying down this iron as a pavement was not such a piece of folly on the part of the Admiralty as the hon. Member for Lincoln supposed. He trusted that, after the statement of the right hon. Baronet that he intended to propose an entirely new constitution for the Board of Admiralty, the hon. Member would not divide the House upon the subject.

Sir JOHN PAKINGTON wished to say, by way of explanation, that he was sure the noble Lord (Lord John Hay) did not intend to convey what his tone and words implied—that he (Sir John Pakington) intended to mislead the House. He begged to state that he did not in the least mislead the House. At the same time, he would consider whether it would be desirable to lay the Reports on the table. The report of Messrs. Ryland was brought to the Admiralty by Mr. Ryland, and in conversation with that gentleman he was informed of the real value of the ballast. Dr. Percy also formed a very high opinion of the value of the iron, and in his Report said it was quite as fit to be used for the purpose of making chilled iron shot as that now being used, the price of which was £6 per ton.

Lord HENRY LENNOX, in reply to one or two questions that had been put to him with reference to the proposed improvements in the constitution of the Board of Admiralty, wished to state that the duties of the new officer, the Superintendent of Dockyard Accounts, would rather assist those of the Valuer of Dockyard Works than clash with them. It was the duty of the Valuer of Dockyard Works to examine and report as to the nature of the repairs of ships, &c., and as to the amount that should be expended upon them, while it would devolve upon the new officer to report to the Controller how the money had been expended, and whether it had been so expended in obedience to his orders. With respect to the question whether the present Board of Admiralty had any design to take steps to ascertain whether the sums now voted for the pension fund would be charged to the general expenses of the dockyards, he understood that the Controller of the Navy would be requested to communicate with the new accountant of the yard, with a view to consulting an actuary for the purpose of calculating the deferred annuities which would represent the value of the pensions to each artificer. Then as to the question respecting the sum of £10,300,000, which it was stated had been spent during 1864-5 on the navy. A large proportion of that money was spent on what he might call the dead-weight service, comprising half-pay and pensions, and it should not be forgotten that the Vote for transporting troops from one part of the world to another was included in this sum. The hon. Member for Pontefract (Mr. Childers) considered that the Controller must be placed in a position of great difficulty, and of comparative inefficiency, if any orders were issued at the dockyards by other means than through the Controller himself. The right hon. Baronet the First Lord of the Admiralty had issued stringent orders that no member of the Board of Admiralty was to give any order involving the expenditure of public money in the dockyards without the knowledge of the Controller. One great object had been gained in the course of the night's debate. General testimony had been borne to the great efficiency of the present system of accounts which they owed to the hon. Member for Halifax (Mr. Stansfeld), and which would be pushed one step further by the right hon. Baronet the First Lord of the Admiralty by the proposed appeal. It was also gratifying to find that there seemed to be an almost generally recognized opinion in the House that no fair comparison could be made between the cost of ships built in private yards and those built in Her Majesty's Dockyards.

Mr. HORSMAN said, there was general concurrence upon another point—namely, that the House was under an obligation to the hon. Member for Lincoln (Mr. Seely) for the manner in which he had brought forward this subject, and raised a very useful and most satisfactory discussion. He (Mr. Horsman) came down to the House that evening prepared to offer his best support to his hon. Friend, but he found that he really did not require it, for he was met by the right hon. Baronet opposite in a spirit of such fairness and frankness that he appeared to get all he desired. The right hon. Baronet began by saying that he himself intended to reform the constitution of the Board of Admiralty, and that the Duke of Somerset had entertained the same views, and he (Mr. Horsman) thought the evidence given by both of them before the Committee of 1861 did them the highest honour. There could be no better testimony to the judicious manner in which the Motion had been brought forward than was afforded by the fact that they had been addressed by officials of both the present and the late Board of Admiralty, and yet no one of them had construed a word in it into a censure or attack of any Administration. The question was a large one, and nothing appeared to him to show more completely the inherent defects in the system of Admiralty administration than the attacks which were made upon it year after year. Notwithstanding a succession of the able administrators at the head of the Admiralty, not only had there not been a cessation of these continual complaints, but there had been hardly a diminution of them. The right hon. Baronet admitted that the constitution of the Board of Admiralty needed reforming, that there was a defective organization in the subordinate departments, and that there was a want of clear, well-defined responsibility. The right hon. Baronet admitted everything, and so far as he could do in the absence of those he must consult, he promised everything. He did not know what more the hon. Member for Lincoln could desire, and his suggestion to him was, that he should be satisfied with the success he had achieved, and not mar it by pressing his Motion to a division.

Mr. SEELY, in reply to the observations made by the right hon. Baronet (Sir John Pakington) on the subject of anchors, said, that he had only heard the explanations offered on that point for the first time that evening; but he (Mr. Seely) had made the calculation that the Admiralty had paid £170,000 more for anchors than they ought, by comparison with specific quotations for Admiralty anchors from four of the first firms in the kingdom. With regard to the market price of anchors, it was self-evident that there must be such a market price. He would not go into details on the subject of the *Frederick William*, the *Cadmus*, the *Brisk*, and the boats, and other matters disputed, and he would only say that it was exceedingly important that there should be no dispute as to the facts; and he made the offer to the First Lord that his (Mr. Seely's) secretary should meet any Admiralty official, and thoroughly investigate the facts, and if he (Mr. Seely) was wrong, he would apologize to the House for having unnecessarily taken up their time. All he and all the public wanted was to find whether the statements he had made were true or not, and the truth or the contrary should be ascertained by investigation. A great portion of the statements he had made had passed undenied. As to the question whether only naval officers should be appointed Controllers and Superintendents, all that he wanted was that men should be appointed who understood the duties required of them, and who were fit to perform them. Men knowing nothing whatever of manufacturing operations should certainly not be appointed to the management of large manufacturing establishments. The master shipwrights, the chief engineers, and others should have a responsible head over them who understood the work, and who would not be obliged to leave almost everything in their hands. He hoped the right hon. Baronet would give his best attention to these matters, and that his opinions would have great weight with the Government of which he was so able a Member. In conclusion, he begged to withdraw his Motion.

Previous Question and Motion, by leave, *withdrawn.*

MINES, &c., ASSESSMENT BILL.

LEAVE. FIRST READING.

MR. PERCY WYNDHAM, in moving for leave to bring in a Bill to assess Mines, Wood Lands, and Plantations, to local rates, explained that the object of the Bill was to put an end to certain anomalies in the law which now existed. Mines, wood lands, and plantations were not at present assessed to local rates, and he believed it to be very desirable that they should be, as the revenue derived from them was great, and there was a considerable percentage of pauperism arising from those who were employed in mines. He cited the case of Ulverston, in Lancashire, where one-fourth of the property in the union was not rated, although it brought in £50,000 per annum, and belonged to people who were best off in the whole community. He also cited other cases of a similar nature which were simple instances of what was going on in a great many unions. Whatever difference of opinion, he added, might exist as to the expediency of legislating with the view to the removal of those anomalies, there could be no doubt that the House had at its disposal all the information with which it was necessary it should be furnished for the purpose. In 1856 a Committee sat, which continued for two Sessions, and in their Report recognising the fact that coal mines were rated to the poor, they said they could not see any reason at all why other mines should be excepted. Evidence was given before that Committee against the principle of rating mines, the owners urging that they should be encouraged by the Government, and that even grants should be held out to encourage people to embark in those speculations; but when the question was brought before the House last Session he understood the right hon. Member for Wolverhampton (Mr. C. P. Villiers) to say that the object might be obtained without legislation, as there was a probability that the ruling of the Judges on the point might be overruled by an appeal to the House of Lords. The exemption of mines from rating was nothing more than a protective exemption of this description of property, and in Cornwall it had had the effect of keeping capital in a stagnant and unproductive state. In other parts of England, where vast mining wealth had been discovered, the exemption was in favour of the richest property in the country. In the Bill which he proposed to introduce, he followed the example of the right hon. Gentleman the Vice President of the Board of Trade. It would simply extend the law with reference to rating coal mines to other mines. With regard to wood lands and plantations, he proposed that they should be rated on the value of the land upon which they stood. There was great difficulty in any other mode of assessment.

The hon. Member concluded by moving for leave to bring in the Bill.

Mr. GATHORNE HARDY would offer no opposition, on the part of the Government, to the introduction of the Bill. No doubt there was great justice in many of the remarks of his hon. Friend; but, at the same time, his hon. Friend was slightly in error in saying that the question of mine rating was finally settled. He (Mr. G. Hardy) had reason to believe that cases were now being prepared to go before the Exchequer Chamber and the House of Lords, with the view of seeing whether the dicta of some of the Judges would be revised. It was notorious that within a year or two exemptions which had been supposed firmly established in the lower courts had been set aside by the highest tribunals of the country, and it might prove to be so in this case. At the same time, it was very desirable that they should have before them any means by which they might get rid of any unfair means of exemption. At this stage of the Bill he would only say that, on the part of the Government, he would not oppose its introduction.

Mr. BAGNALL referred to the Report of the Government Inspector of Mines in North Staffordshire, to the effect that the mode of assessing coal mines was most unjust, and yet this Bill proposed to extend that system of injustice. Unless the hon. Gentleman laid down some other principle of assessment, he should give the Bill every opposition in his power. The House ought to recognise the principle that the working of mines was really tantamount to selling the estate piecemeal.

Mr. COLVILE said, that as the representative of a considerable mining constituency, he felt it his duty to tell the hon. Member, who had asked leave to bring in this Bill, that, though it might be discourteous to oppose its introduction, if it resembled in its provisions that brought in last year by the Member for Shoreham, he should offer it his most determined opposition in all its future stages. The hon. Member was entirely mistaken in the view he had formed of mineral property as a subject for rating, and assumed that it could be assessed at its annual value, like land or houses. In this case the value of the fee was constantly increasing, and the income derived from them comparatively steady, whereas in mines the fee, by the exhaustion of the corpus, was continually diminishing, and their profit most uncertain. A mine was really nothing but a terminable annuity, and it would be unjust and impossible to rate it at its annual value, which to-day might be worth thousands a year, and to-morrow nothing. The only sound principle of rating to be applied to mines is to rate the royalty, or dues paid to the lord. On this principle the lead miners of Derbyshire had for years past been rated, the dues being paid in kind, and they thus contributed to the maintenance of the poor and highways, and he believed were even virtuous enough to pay church rates. The mining interest complained that they were unjustly treated in being thus singled out. The whole system of rating was replete with anomalies, and might well be the subject of comprehensive legislation; but no such injustice had been proved in the exception of metallic mines from rating as to warrant special legislation on the subject. The hon. Member who introduces this Bill, though not a Member for a maritime constituency, resided in a county bordering on the sea—he asked him why, if the rating question was disturbed, that shipping should not be rated? What was there that made larger calls on the poor rates than a harbour full of ships? And then came a question on which he (Mr. Colvile) felt very strongly. Why should not game be rated? In one union in Derbyshire there were no less than 40,000 acres of grouse moor, which are mostly let for sporting purposes, but of which the tenant of the pasturage pays all the rates, and the tenant of the game goes entirely free, yet the system of game preserving produced much pauperism. He (Mr. Colvile) was quite prepared to go into the whole question of rating; but if metallic mines alone were singled out, he should offer the Bill his strenuous opposition.

Mr. PEASE thought mines should be rated, because they threw a large population into a district which was specially liable to come on the poor rate, but they ought to be rated on their own basis. He hoped the Bill, if pressed forward, would be made more like that of the hon. Member for Shoreham.

Motion *agreed to.*

Bill to assess Mines, Wood Lands, and Plantations to local rates, *ordered* to be brought in by Mr. Percy Wyndham, Mr. Cavendish Bentinck, and Mr. Henderson.

Bill *presented,* and read the first time. [Bill 33.]

SUNDAY TRADING BILL.

LEAVE. FIRST READING.

MR. THOMAS HUGHES, in asking for leave to bring in a Bill to amend the Laws relating to Selling and Hawking Goods on Sundays, said, the law affecting Sunday trading was universally admitted to be in a most unsatisfactory state. The present law was passed in the 29th year of the reign of Charles II., and was an attempt to make people perform their religious duties by Act of Parliament. It prohibited the selling of all goods on a Sunday, with the single exception of milk. Of course, there were many other perishable articles that it was necessary to sell on a Sunday, but they were omitted. The result was that the law had became a dead letter. The penalties were forfeiture of the goods, and a fine of *5s.* for the whole of the day's sales; but as the goods were mostly meat and vegetables, and were generally consumed immediately after they were sold, the forfeiture could not be exacted, while the penalty of *5s.* was so small that it was totally disregarded by those who made a profit by vending goods on the Sunday. There was a very strong desire throughout the country for some legislation upon the subject that would place the law on a more satisfactory footing, and he had that evening received a petition to which 10,000 signatures were attached, asking the House to legislate on this question. Before bringing forward the present Bill, he had felt it his duty to go to different places in the metropolis where Sunday trading was rife, and he had found that in the New Cut, Clare Market, Petticoat Lane, and Moorfields there were regular markets for the sale of goods. In proof of the fact that the goods exposed for sale were not restricted to perishable articles, he might state that in Moorfields he had been offered a pair of bull pups, which, he thought, could hardly come within the ordinary acceptation of the term perishable. In fact, Sunday trading was increasing considerably, and if the House thought it worth while to keep the Sunday, regarding it merely as a civil institution, and not from a religious point of view, as a day of rest, it was high time legislation should take place on the subject. The provisions of the Bill he asked to bring in were two-fold. He had endeavoured to specify those trades the carrying on of which it was desirable to allow upon the Sunday, as well as the hours during which certain articles might be sold on that day. The Bill did not touch a question which had been agitated before—the sale of liquors on the Sunday, and its operation would be confined to towns of a population of 10,000 and upwards. A clause imposing on the police the duty of carrying out the provisions, which was supposed to make the measure less desirable than it otherwise would be, had been removed from the Bill.

Motion *agreed to.*

Bill to amend the Laws relating to Selling and Hawking Goods on Sunday, *ordered* to be brought in by Mr. THOMAS HUGHES, Lord CLAUD HAMILTON, and Sir BROOK BRIDGES.

Bill *presented*, and read the first time. [Bill 34.]

CONTROVERTED ELECTIONS.

Mr. Whitbread *reported* from the General Committee of Elections; That they had selected the following six Members to be the Chairmen's Panel and to serve as Chairmen of Election Committees for the present Session:—Hugh Edward Adair, esquire; William Edward Baxter, esquire; Admiral the Honourable Arthur Duncombe (York, E.R.); Sir Philip Grey Egerton (Chesh. S.); Thomas William Evans, esquire; Edward Howes, esquire.

Report to lie upon the Table.

House adjourned at half after
Eleven o'clock.

HOUSE OF COMMONS,

Wednesday, February 20, 1867.

MINUTES.]—SUPPLY—*considered in Committee* —*Resolutions* [February 18] *reported.*

PUBLIC BILLS—*Resolutions in Committee*—Sugar Duties [February 15] *reported.*

Ordered—Sugar Duties *; Sale and Purchase of Shares; Railways (Guards' and Passengers' Communication) *; Habeas Corpus Suspension (Ireland) Act Continuance; Marriages (Odessa) *; Criminal Lunatics.*

First Reading—Sugar Duties * [37]; Duty on Dogs * [36]; Sale and Purchase of Shares [38]; Railways (Guards' and Passengers' Communication) * [39]; Habeas Corpus Suspension (Ireland) Act Continuance [35]; Marriages (Odessa) * [40]; Criminal Lunatics * [41].

Second Reading—Annuity Tax Abolition (Edinburgh, Parish of Canongate) [2] *negatived;* Criminal Law [8].

ANNUITY TAX ABOLITION (EDINBURGH, PARISH OF CANONGATE) BILL.

(*Mr. M'Laren, Mr. Dunlop, Mr. Baines.*)

[BILL 2.] SECOND READING.

Order for Second Reading read.

MR. M'LAREN, in moving the second reading of this Bill, said, its provisions were somewhat intricate, and he was therefore obliged to go further into the details than he should have done under other circumstances. The Bill was founded upon the Act which was passed in 1860—in fact, the whole structure of the Bill depended upon the provisions of that Act. The Act of 1860 professed to abolish the annuity tax or ministers' money, which was then levied in Edinburgh. It did so in form, but it imposed other two rates, which were simply church rates, in place of the annuity tax which was abolished. The passing of that Bill was strongly opposed by the inhabitants of Edinburgh, by the corporation, and by all the public bodies of the city, and it was protested against at large meetings of the ratepayers. A petition was sent to this House, signed by 15,000 inhabitants, against its being passed into law; and after the Bill had passed another meeting was held under the presidency of the chief magistrate, at which a solemn protest was agreed to be signed, and this was done by nearly 8,000 inhabitants, declaring that they never would be satisfied with the provisions of that Act, and that they would continue to urge its repeal, until a more reasonable settlement of the matter had been made. This protest, signed by 8,000 ratepayers, included about 4,000 Parliamentary electors of the city. The Act of 1860, he admitted, did effect a beneficial change, financially, in the city of Edinburgh, which would have been important if there had been no evil principles embodied in the Bill. Previously to that time there were five churches, having two ministers each; and the Act provided that those churches should thereafter have only one minister, as vacancies occurred, thus saving all existing life interests. Two vacancies had occurred at the time of the passing of the Act, and three had occurred since; so that, in fact, the Act was now in full operation, and its effect had thus been to save the stipends of these five ministers to Edinburgh, amounting to £3,000 a year. As a mere question of money, this was not of very great importance, as 1*d.* in the pound on the present rental of Edinburgh would produce £3,000, and in that part of the city where this tax was levied, the same amount could be raised by a rate of 2*d.* in the pound. The Act of 1860 had a number of intricate provisions. It imposed a tax of 3*d.* in the pound to be levied, not avowedly as a church rate as before, but along with, and as part of, the police rate for the lighting, watching, and cleaning of the city. That tax of 3*d.* in the pound, within the limited area, would produce £4,200, and that sum was required to be paid annually to certain Ecclesiastical Commissioners appointed under the Act to be applied for ministers' stipends. Then it imposed an additional rate of 1*d.* in the pound to be levied, not only within this limited area, but over the whole parishes within the municipal boundaries of the city, in place of pew-rents, given to the Commissioners for ministers' stipends. That rate, though small in amount, had perhaps given rise to more opposition than any other part of the Act; because it was so unjust in principle thus to tax two other parishes which were not ecclesiastically connected with the old Royalty of the city. It was to remove these several grievances that the present Bill had been brought forward. The Bill consisted of three parts, the first of which abolished the annuity tax in the Canongate parish within the city of Edinburgh. By some strange oversight, which he could not understand, while the annuity tax was abolished in the richer districts of the city, it was kept up in this the poorest of all the poor districts of Edinburgh. The Canongate parish had a population of 11,653, of whom 2,733 were ratepayers, and 2,312 of these occupied premises under £10 of rent, and only 420 in the whole parish occupied premises of £10 and upwards. The result was, as might be supposed, the tax, although it was 4½ per cent, only yielded on an average of the last five years a sum of about £220 to each minister; and last year, when considerable additional efforts were made, the amount was only increased to £250 for each minister. When the Select Commiteee was appointed during last Session of Parliament, the ministers of this parish sent a solicitor to London to be examined before the Committee, to state their case and suggest a remedy. That gentleman, on the part of the ministers, suggested that each of them should receive a stipend of £250 during their lives, in lieu of the annuity tax; that one of the collegiate charges should be abolished when a vacancy occurred; and that the single minister should then get £350 or £400 a year. Now, the present Bill proposed to do exactly what had been suggested by the solicitor to the ministers. It contained a provision that they should have £250 during their lives, and that £350 should be given to the successor when a vacancy occurred. So far as he was aware, no objection whatever had been urged against that part of the Bill. There had been no petition presented, and he had received no letter of remonstrance, and there was nothing to indicate that there was anything less than a general and hearty feeling in favour of that part of the Bill. Another part of the Bill proposed to abolish the rate of 1*d.* in the pound levied, not over the old Royalty, but over the Canongate parish and St. Cuthbert parish. The Bill proposed to abolish this small rate of 1*d.*, immediately on its passing, so far as the two parishes he had named were concerned, because they had nothing to do with it in any equitable point of view; but as the Town Council could not afford to lose all this income at once, it proposed to abolish the other half, relating to the city parish, only in five years. In that way this rate of 1*d.* would at the end of five years be totally abolished. He had reason to believe that all parties were perfectly unanimous also on this question. The corporation of Edinburgh, as the House knew from the petition which he had just presented, passed, by a majority of twenty-one to thirteen, a Resolution to petition in favour of this Bill. They were willing to do without that rate of 1*d.*, and they could afford to do without it. The petition which he had this day presented showed that 11,000 of the ratepayers of Edinburgh, of whom about one-third were Parliamentary electors, petitioned for its abolition; and even the Conservative and Church paper of Edinburgh entirely approved of the abolition of the 1*d.* rate so far as the outer districts were concerned. He now came to the third and most important part of the Bill, which related to the abolition of the rate of 3*d.* in the pound in the city parish, now levied in lieu of the old annuity tax. That rate produced £4,200 a year, and the strongest possible objections were made to that impost. The Bill proposed to secure the life interests of the whole of the existing ministers, but that when three vacancies occurred they should not be filled up again. In the old town there were too many places of worship for the church-going population, and by the saving which would be effected from not filling up those vacancies, and by taking the ordinary church-door collections or free-will offerings, which were at present legally applicable to the relief of the poor, for the miscellaneous expenses connected with the maintenance of the churches, this source of expenditure would be amply provided for. Those expenses were now defrayed by the Ecclesiastical Commissioners out of their general funds, which to this extent would be set free for the payment of ministers' stipends. The blue book just delivered from the Board of Supervision showed that these free-will collections, during the last year, amounted to nearly £1,600, and the whole of the church expenses during the last five years, in which they were managed by the Town Council, averaged about £1,700, so that there would be no difficulty in meeting all the expenses he desired to meet. If that arrangement were entered into the funds would be, first the pew-rents, which brought in about £3,800, and there were other small items amounting to between £180 and £190. Then there was an annuity of £2,000 a year payable in respect of certain property which formerly belonged to the city of Edinburgh connected with the harbour and docks at Leith. This property was surrendered in 1838 upon compensation being given under an Act of Parliament, on a valuation made by the Government of the day, and sanctioned by the Report of a Select Committee of this House; and £2,000 of that compensation was given to the clergymen with the consent of the city authorities. The sums he had mentioned thus amounted to about £6,000, for the purposes he had named. There were now thirteen clergymen, and it was proposed to make the number ten, and this endowment of £6,000, obtained from the sources alluded to, would give stipends of £600 to each of them, which was the amount fixed by the Act of 1860. Therefore, the Act of 1860 was complied with in everything except the reduction of those three clergymen. With respect to the pew-rents, he might explain that in 1832, before the Free Church disruption took place, those pew-rents produced £7,539, and the value of the unlet seats was then £2,212; and there was no reason why these pew-rents should not bring in the same amount now. At present they were very nearly £4,000, and he believed they would exceed £4,000 during the current year; therefore, the endowment would be quite sufficient. After the great split took place in the Church of Scotland and the Free Church was established, the authorities from time to time reduced the rates for the pews, and to some extent that reduction had been going on during the last few years; and the result was that persons who worship in the city churches of Edinburgh paid only about one-half of the pew-rents which the people belonging to other denominations in the city paid. Before the disruption there were 9,455 sittings let, producing £7,539; and in 1865 there were 8,518 sittings let, producing only £3,790; so that while the number of sitters had been reduced by only one-ninth part, the amount paid by them had been reduced by one-half. That showed that the fund was of a very elastic nature. Since the Bill proposed to strike off, as vacancies occurred, three ministers, it might, perhaps, be objected that this would cause a deficiency of ministers in the city. The House would, however, be surprised to learn that besides the thirteen endowed ministers in the city parish, there were two in St. Cuthbert's, and two in the Canongate parish, making altogether seventeen ministers; and there were twelve other Established Churches which were not endowed from any public source. He believed a careful scrutiny would show that these twelve churches which were not endowed were more vigorous and more healthy than are those which were endowed. There were thus twenty-seven churches in the city of Edinburgh all belonging to the Established Church, having twenty-nine ministers; but there were other churches holding the same doctrines, subscribing the same confession of faith, and having the same form of government. Two of these bodies were each larger than the Established Church. These were the Free Church, which had thirty-two places of worship, and the United Presbyterian denomination, which had twenty churches, very numerously attended. There were thus fifty-two churches in addition to the twenty-seven Established Churches which were in all respects on the same footing as to doctrine and government. He believed all these voluntary churches, whether taken singly, or collectively, or on the average, were better attended, and raised far larger sums, for the purposes of religion and benevolence, than the Established Church. Again, the Episcopalians had twelve places of worship; there were seven Baptist churches; and the smaller denominations had fifteen, making altogether 113 Protestant places of worship with 129 ministers, in which substantially the same doctrine was preached; and of these, only fifteen were endowed Established Churches. To show how little three ministers would be missed, he mentioned that the whole population of Edinburgh, including not only the city parish, but the other two parishes, amounted at the last census to 168,000. Of these, about 18,000 were claimed as Roman Catholics, leaving 150,000 Protestants, or persons—and he feared there were many such in all large towns—who did not belong to any denomination. Now, it was obvious, as there were 113 churches in Edinburgh, and the Protestant population was 150,000, that there was a place of worship for every 260 families; and therefore no one could stand up in that House and say that the leaving out of three ministers, and three of the endowed churches, could have any appreciable effect on the spiritual interests of the people of Edinburgh. There were three of these churches in which there were only 509 sittings let altogether, while there were 1,435 unlet, and 821 free sittings. Taking all the thirteen churches, there was an immense number of empty sittings. By the last Return there were 4,645 unlet, and 2,280 free sittings. The city parish, in which this rate of 3*d.* was levied, contained 67,000 inhabitants; the Canongate parish 11,600 inhabitants, with two endowed ministers; and St. Cuthbert's 90,000 inhabitants, with only two endowed ministers. Now, if the two last-named parishes could do with only two endowed ministers, surely ten endowed ministers were sufficient for the wants of the city parish, with its 67,000 inhabitants? Dundee had a population of 69,000, or more than the city parish of Edinburgh, and it had only five ministers. Glasgow city parish had only ten ministers, with a population of 147,000—more than double the population of the city parish. In reducing the number of ministers in Edinburgh to ten they would still be largely in excess, proportionally, of the number of ministers in any other large town in Scotland. He would like the House to understand that these thirteen parishes, sometimes called distinct parishes, were really all one parish—the city parish. The municipality of Edinburgh had added voluntarily, from time to time, a considerable number of additional churches, partly in the hope of getting a large return from their pew-rents; and those churches were built when there were not so many Dissenters as there are now. To prove that all these alleged parishes were, legally, only one parish, it was sufficient to state that there was only one poor-rate levied, and one parochial board to manage the affairs of the parish. The Bill proposed to give the sitters in these city churches a great advantage which they did not now enjoy. The Act of 1860 said that the communicants and elders of these churches might obtain the right of appointing their own ministers on each congregation paying £600 to the Town Council for the privilege. The present Bill, however, proposed to abolish that payment of £600, and to give the right of appointing the minister to the male heads of families and elders of the church as provided for by the Act of 1860. In that way it was calculated that from the people having an interest in the minister to be appointed, they would be sure to select a man of talent and of Christian worth and piety who would work among the poor, and who would devote himself to the interests of the church and people. The result would be that the churches would be well filled, the pew-rents, in place of £4,000 a year, might in a short time rise to a much higher sum, thus affording additional funds for additional ministers, if required hereafter. The money value of the unlet pews, even at the present reduced rates, was, according to the last Return, £3,232. It had been stated that this was a Bill founded on the principle that there was to be no Established Church. There could not be a more erroneous statement made. The city of Edinburgh was giving up an endowment of £4,000 a year from the pew-rents, which belonged to the city as corporation revenue. It was likewise giving an endowment of £2,000 a year derivable from property formerly belonging to the city, and which was made over to the clergy, by consent of the city, by Act of Parliament. Those two sources of endowment amounted to £6,000 a year. Again, it had been said that £4,000 a year of that sum was derived only from seat-rents, and the fund was spoken of disparagingly as being only pew-rents. But the clergy of Edinburgh brought an action against the Town Council in 1810, to have it determined that those pew-rents belonged to them, in addition to their other sources of income; but it was decided by the Supreme Courts that those pew-rents belonged to the magistrates and council for the municipal purposes of the city; and they were always so received and so applied. Even when they yielded £7,500, they were applied to the municipal purposes of the city, and always thereafter till the passing of the Act of 1860, when they were made over to the clergy. The £4,000 a year thus drawn from the pew-rents, and which might increase to £7,000 in a few years, was as much the revenue and property of the city of Edinburgh as any other revenue or property belonging to the corporation; but by the passing of the Bill there would no longer be any taxation levied for the support of the Church. Within his own recollection the corporation of Edinburgh had expended £80,000 in building three additional churches, and it had also expended large sums in improving other churches; and the Courts of Law very properly held that, as the Town Council always acted liberally in maintaining and extending the Established Church out of the corporation funds, they were entitled to draw those pew-rents, and apply them for municipal purposes. Under these circumstances, he hoped the House would agree to the principle of the Bill by allowing it to be read a second time. If, however, it should be opposed on the ground that an alleged contract was made when the Act of 1860 was passed, he was prepared to show that that idea was founded upon an entire misconception, and that no kind of contract was ever made to which the city of Edinburgh, by its municipal authorities, or public bodies, or its inhabitants, were in any way consenting parties.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. M'Laren.*)

SIR JAMES FERGUSSON said, that the hon. Member who had introduced this Bill had a hard case to prove, for he had to show that the Act of 1860, which professed to deal with this vexed question, had been fairly tried and failed. They had heard from the hon. Member very little about the working of the Act of 1860. Nor had they heard much from him of the state of feeling in the city of Edinburgh, which had been represented in various quarters to be so greatly excited that further legislation on this subject was absolutely necessary. He thought it was shown before the Committee which sat to inquire into this subject last Session, that the feeling of excitement which had been caused did not exist to any large extent, but that, on the contrary, it was confined to a small portion of the inhabitants of Edinburgh. It would, indeed, be a matter of great regret if any Act of that House, but still more if any Act imposing an ecclesiastical impost upon any large and important place, led to great agitation. But he (Sir James Fergusson) contended that the allegation of excitement was problematical, and that it might be shown that there was no real ground of complaint. The hon. Gentleman had referred to the leading features of the Act of 1860, which he now sought to amend, but he did not explain sufficiently to the House the amount of concession that was then made. Previous to 1860, the provision for the ministers in the city of Edinburgh, though not on an extravagant, was on a more liberal scale than the present one. There were eighteen parish clergymen, who were supported out of what was called the annuity tax, and under the provisions of the law at that time they were entitled to sums nominally exceeding, but really amounting to £800 a year each. The Act of 1860 reduced the number to thirteen, and the salary of each to £600 a year; and with the view of lightening the tax to the bulk of the inhabitants, large classes who had hitherto been exempt from it—members of the College of Justice, including the Bench, the Bar, and all branches of solicitors—voluntarily agreed to become subject to it. They had previously resisted attempts to reduce the number of the clergy; but in 1860, for the sake of peace and on condition of greater security being given to the arrangement proposed, they consented to the reduction and to relinquish their exemption. It was thus that the tax on the inhabitants was reduced from 6*d.* to 3*d.* in the pound. All the persons upon whom the additional 1*d.* was imposed, to make up for the pew-rents taken from the municipality and given up to the ministers, were previously contributors to the general city funds, which were charged with the maintenance of the clergy, who held the seat-rents of the churches as security; and the 1*d.* was imposed to make up the security formerly possessed in the pew-rents for the payment of the debts of the city. The hon. Member dissented from that statement; but it was so stated at the time; and was it not because security was to be increased, and the burdens of the inhabitants reduced, that the reduction in the number and in the salaries of the ministers was consented to and approved by Parliament? It was repeatedly and distinctly stated that the reduction of the number of ministers was acquiesced in simply for the sake of peace and the increased security given to the remaining ministers. And yet in 1867, when the reduction to thirteen ministers had been for the first time attained, and when the Act, therefore, came into full operation, it was proposed to reduce the security for the stipends of the ministers and their number from thirteen to ten. He might fairly ask where was the reduction to cease? There was one matter in connection with the Act of 1860 which the hon. Member might have recognised—namely, the abolition of the most improper machinery by which alone the stipends of the clergy could be recovered. Previous to the year 1860 the clergy had to sue such of the ratepayers as might be in arrear for their stipends, and the painful spectacle was constantly witnessed of a process at law at the direct instance of the clergy; but by the change, under which the city became the purse-holders, the clergy were freed from the obnoxious necessity of being obliged to have recourse to law to recover their stipends. If it were true now that a majority of the inhabitants of the city of Edinburgh had to be coerced into the payment of the tax, if it had to be wrung out of reluctant ratepayers, then he (Sir James Fergusson) would admit that its imposition involved injustice and hardship; but there were few refusals to pay, they were made by a small but noisy section, who sought to disturb a settlement to which they had been parties, and there was no real hardship or injustice. With regard to the proposed method of paying the stipends, as the seat-rents were to be supplemented by property of the municipality—the sum it received from Government in lieu of its Leith harbour claims—the clergy would still be paid out of the common fund of the city, with this difference, that the security would be doubtful and the results problematical. It was proposed to raise the seat-rents, or so to manage them that they should amount to £4,000 a year. [Mr. M'LAREN: They are about that now.] He did not believe the House was prepared to depart from the principle of an Established Church, and he doubted whether the members of those religious bodies in Edinburgh, who had been referred to as being independent of public endowments, would be prepared to follow the hon. Member; for the Free Church, to its honour, had never joined in the attacks made on the ecclesiastical endowments which they had voluntarily relinquished, and some of the clergy of that Church had left on record perhaps the most eloquent defences religious endowments had ever received. He doubted whether the churches of Edinburgh were built upon any such speculation as that the seat-rents would provide the stipends for the ministers; because he believed they were intended to be places for the free worship and religious instruction of the poor, and it was required by Act of Parliament that at least one-tenth of the sittings in them must be free. By evidence given before the Committee last year, it was proved that the clergy were careful not to take seat-rents from the poorer attendants, because they believed that in so doing they would defeat the object with which their churches were provided. Although it appeared that in some churches all the sittings were let, yet there was ample free accommodation in the churches which had the largest congregations. It had been said sarcastically that the clergy of Edinburgh preached to empty benches, and an unworthy attempt was made before the Committee last year to represent the congregations as very scanty, by producing the returns of a voluntary census which some of the agitators had taken; but on inquiry it was found that the figures were fallacious, for where the attendance was represented at 200 or 300, there were 800 or 900 in full communion, and congregations were always calculated to include one-third or one-fourth more than the number of communicants, so that the number of the congregation in question would be three or four times what it had been represented to be. The letting of seats was not so much an object with the Established Church as the encouragement of the attendance of those who could not afford to pay seat-rents; it never had, and he hoped it never would be the case, that the taking of a seat should be regarded as a condition of attending church. When that time came, then, the principle of an Established Church would be really in danger. After taking the pew-rents, the Bill proposed to lay hands on the church-door collections which were now applied to the relief of the poor, and to devote them to the payment of the miscellaneous expenses connected with the maintenance of the churches. There was no money more usefully and properly applied than that collected at the church doors, and he should have been inclined to appeal to the hon. Member for Greenock (Mr. Dunlop) as an authority against the proposed appropriation of the collections; for in a standard work on the Scotch law he laid it down that considerable latitude was permitted in the allocation of church-door collections, and that the general practice was to disburse them in the form of temporary relief, in cases of sudden and exceptional distress, so as to save the recipients from falling into the ranks of the permanently poor. There could not be a more charitable purpose than thus to distribute relief through the hands of Christian neighbours, in order to save the unfortunate from pauperism; and it would be grievous if the free-will offerings of the people were diverted to any other object. Why was the hon. Member more sensitive to the grievance of Edinburgh than to that of Leith? Had not the people of Leith a better title to be relieved from the virtual payment of £2,000 a year than Edinburgh had to be relieved from the 3*d.* in the pound paid for the support of the parish clergy? As to Edinburgh having more clergy than Glasgow, so much the worse for Glasgow. [*Laughter.*] It was no laughing matter that Glasgow had only ten clergy maintained by public funds; for, notwithstanding the great exertions made there by very worthy people to supply the lamentable deficiency of public endowments, it was well known that the result still fell far short of the requirements of the city; and the deficiency of Glasgow or other towns was no argument for reducing the provision possessed by Edinburgh. To lay stress on Edinburgh being one parish for the relief of the poor, and that therefore the endowed churches within its bounds might be reduced, was to say that parishes containing 15,000 or 20,000 people had no existence but in name. The hon. Member closed his speech with a taunt which might well have been spared. He said that if the people of Edinburgh had the choice of their ministers seat-rents would soon rise, and all outside endowments might be dispensed with. Now, he (Sir James Fergusson) would say that nowhere were to be found more pious, earnest, and useful clergymen than in Edinburgh — worthy successors of an illustrious line. Thanks to these endowments, there had not been wanting for the last 200 years provision for earnest and pious men who had done their work in a manner that had redounded to the credit of the Church and the advantage of the people. If the House were disposed to maintain the Act of 1860, which was working well, he thought it would not hesitate in refusing its assent to the hon. hon. Member's Bill. He would not urge, as he might fairly have done, the shortness of the time that had passed since the introduction of the Bill—so that, of the petitions against it, three or four had only reached him since this debate had commenced — nor would he dwell upon the objectionable manner and tone with which it had been introduced; but he was content to rest his opposition to the measure on the faith of the Parliamentary guarantee, deliberately given in 1860, which he hoped the House would maintain, and he therefore moved that the Bill be read a second time that day six months.

Mr. MILLER seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Sir James Fergusson.*)

Mr. BAXTER said, he supported the Act of 1860 because he entertained the hope, though not a very sanguine and profound one, that it might be possible to set the question at rest for a considerable period. He was aware at the time that a large portion of the inhabitants of Edinburgh were dissatisfied with its provisions; but, considering that the delegates they sent up did not appear to know their own minds in the matter, and did not bring forward any substitute, it was not extraordinary that the House should have acceded to the proposition then under discussion. The sweeping accusations which had been made against those who passed the Act of 1860 were wholly unjustifiable; but he could not agree that the provisions of that Act were to be stamped with the character of finality. It was admitted before the Committee of last year that excitement did prevail in Edinburgh upon this subject, but what was disputed was the universality of that feeling. He was now of opinion that this mixing up of ministers' stipends with police rates had not been successful in attaining the object contemplated, and he therefore thought the hon. Member for Edinburgh perfectly justified in coming forward with an amended proposal. The hon. Member for Ayrshire (Sir James Fergusson) was not correct in stating that the salaries of ministers were reduced by the Act of 1860 from £800 to £600 a year. Never on any occasion had the amount been more than £600, and they renounced nothing therefore when they agreed to that measure; and it had been distinctly laid down by the Law Courts that the creditors of the city, and not the clergy, held the seat-rents as security. His firm and conscientious judgment was that if they passed the Bill of his hon. Friend, the security of the clergy would be very considerably increased. The main point was this—was the House prepared still further to reduce the number of the clergy from thirteen to ten, and so put a stop to the heart-burnings which existed. It had been asked if this was conceded, where were the demands to cease? The answer was, as soon as the annuity tax was abolished, and not before. Hon. Gentlemen opposite said there had been no time to ascertain the feeling of the inhabitants of Edinburgh; but the hon. Member for Edinburgh had presented a petition this afternoon, signed by about 11,000 ratepayers, being more than half the electors, upon the subject. He could not imagine that there was any doubt that if the Bill passed it would put down the agitation existing, while it would afford security to the clergy, and not be prejudicial to the interests of the Established Church. He therefore thought the House would give the Bill their attentive consideration.

Mr. MILLER said, he rose to support the Amendment of the hon. Member for Ayrshire, because he felt that the principles of the Bill would only give satisfaction to a very small portion of the citizens of Edinburgh, while it would give very little satisfaction indeed to the people generally. In Scotland the Church depended upon rates and local assessments for its maintenance even to a greater extent than was the case in England, and that was a system that he did not think should be done away with. No man had a higher respect for Dissenters than he had; but he believed that this excitement had been stirred up by certain individuals, who were always to be found in sufficient numbers in large communities, ready to seize upon any opportunity of supposed or real grievance merely for the sake of bringing themselves conspicuously before the eyes of their neighbours. After all the hopes that were entertained of peace being restored to Edinburgh by the passing of the Act of 1860, it was too soon to disturb the people again and throw them into a state of excitement. In the inquiry which had taken place before the Committee, of which he was a Member, almost all the witnesses were of opinion that that portion of the assessment levied upon the ships trading to the port of Leith ought more properly to be abolished than the tax upon the houses in Edinburgh. It was unfair and ungenerous to try to undo the settlement which had been come to in 1860, and the people of Leith thought it a great injustice to pass a Bill like this, which would perpetuate the imposts on the ships frequenting their harbour.

MR. MONCREIFF said, that as he had taken considerable part in passing the Act of 1860, he wished to say a few words. There were several entirely distinct matters involved in the Bill now before the House. One would suppose from the title of the Bill that the annuity tax was still levied in Edinburgh, but the truth was exactly the reverse. The annuity tax had been repealed and abolished by statute, and there was no such thing now in that city. But if the hon. Member had confined the scope of his Bill to the tax in the borough of Canongate and to the tax of 1*d.* in the pound to meet the deficiency caused in the municipal revenue by the abstraction of pew-rents, he (Mr. Moncreiff) would have gladly voted for the second reading in order to go into Committee, where the matters complained of might be easily redressed. When the annuity tax was abolished in the city of Edinburgh it was still left remaining in the borough of the Canongate; and, on the other hand, the new tax of 1*d.* in the pound which was imposed was extended over the borough of the Canongate, which received no relief whatever from the provisions of the Bill. There was therefore some ground of complaint on that score. But as regarded the 1*d.* over the municipality the case stood in a different position. It was absurd to talk of it as an ecclesiastical tax; it had not the slightest ecclesiastical character about is. The state of the matter was this:—Before 1860 the corporation used the pew-rents as part of the ordinary revenue of the city; but in that year those rents were appropriated to the support of the clergy in order to make some amends for the abolition of the annuity tax, and a tax of 1*d.* in the pound was ordered to be raised for municipal purposes. The seat-rents were valued at £1,600 a year, and if the tax now produced much more than was required there was a fair case for redress. Consequently, if his hon. Colleague had confined his Bill to matters which might fairly come within its reach, he would have gladly supported him. If the Bill were lost, he would himself consider whether in the course of the present Session he could not introduce a measure with regard to these two matters, the tax on the borough of Canongate, and the impost of 1*d.* for municipal purposes, in order to give such relief as might be consistent with the spirit of the Act of 1860. But the present proposal went far beyond this, for it would have the effect of taking from the ministers the security for their stipends which was guaranteed by the Act of 1860. He did not mean to contend that legislation upon such a subject ought necessarily to be absolutely final; but he said that those members who had been parties to an arrangement of that description might fairly deem themselves bound to maintain it to the best of their power. As far as he was concerned, he held himself bound in honour to adhere to a compact by which the ministers consented to have their numbers reduced from eighteen to thirteen. But there were other parties to the transaction. The members of the College of Justice—namely, the bar, the solicitors and attorneys, a very large and influential section of the community of Edinburgh, who up to that time refused to waive their privilege of exemption from the annuity tax—consented to have themselves taxed because they thought the settlement then proposed would be final and satisfactory. The House came to the consideration of this Bill under circumstances very different from those of 1860. At that period the annuity tax amounted to 10*d.* in the pound, and was collected directly by the clergy for their own support. They were now asked to deal with an impost of only 3*d.* in the pound, which instead of being an ecclesiastical, was a purely municipal tax. A great deal had been said about the ratepayers; but if hon. Gentlemen reflected, they would see that the ratepayers had not got a very bad bargain by the settlement of 1860. For twenty-five or thirty years Edinburgh had been agitated without being relieved, reaping all the time a plentiful crop of bad feeling and acrimonious discussion, but nothing beyond that crop. The question served, from time to time for political capital, but not a single farthing had been taken off the tax, and no relief given either to the pockets or the consciences of the ratepayers. But now two-thirds of the tax had been taken off, and the impost which was levied was levied, not for the clergy, but for the purposes of the municipality. If he were to deal fairly his hon. Colleague should propose to repeal the Act of 1860, give the College of Justice back their privileges, and restore the ministers to the number of eighteen. But instead of that the hon. Gentleman took the Act of 1860 as his starting point, and endeavoured to make use of it as a lever for obtaining more. The twenty-five years of agitation which it had taken to obtain the Act of 1860 proceeded on the very principles of the settlement which was then made, and those principles were to reduce the amount of taxation by diminishing the number of ministers, to obtain aid from other sources, to give the ministers security for their stipends, and to make any taxation that might be levied taxation for municipal purposes. The principle of the Bill of 1860 was no invention of his, of the clergy of Edinburgh, or of the Members of that House; but it was in accordance with the recommendation of the Select Committee of 1851, who reported in favour of reducing the ministers to fifteen, and imposing a municipal tax of 5½*d.* in the pound. The present Earl of Dalhousie in 1852 introduced a Bill founded on the recommendations of that Committee, and was supported by the people of Edinburgh and the Liberal Members of that House, but the Bill was subsequently lost. Lord Advocate Inglis prepared a Bill to which his hon. Colleague, then chief magistrate of Edinburgh, was not strongly opposed, although he could not give it his absolute support, inasmuch as it did not propose to reduce the number of ministers, though it embodied the other object of converting the tax from an ecclesiastical to a municipal impost. That Bill, too, failed. But in 1853, when Lord Aberdeen succeeded to office, he (Mr. Moncreiff) introduced a Bill which proposed to reduce the ministers to fifteen. His hon. Colleague was so well pleased with that Bill that he recommended the inhabitants of Edinburgh to petition in its favour. That Bill was also unsuccessful, principally because the ministers and the other side of the House were not satisfied with the security for the stipends contained in it. Mr. Black also in 1858 attempted to settle the question, and failed. At last, in 1860, he himself again took the matter in hand, and made a proposal to continue the tax for fifteen years, with a view to its redemption at the end of that time. The Town Council of Edinburgh, however, opposed the proposal, and passed a resolution to the effect that they would unanimously acquiesce in a Bill which should enact that, instead of a temporary, there should be a permanent law to make provision for thirteen ministers at £600 a year, and that there should be undoubted security for the stipends. Upon receiving that resolution, he said that if a public meeting were called, and a vote obtained to sanction the proceeding, he was ready to take the matter in hand. A public meeting was held, his hon. Colleague was present, and it was agreed that they would accept a tax of 4½*d.* in the pound, a reduction of ministers to thirteen, and would give ample security for the payment of the stipends. Upon this he placed himself in communication with the other side of the House; after a good deal of discussion, the proposal was agreed to, the Act of 1860 was passed, and the ministers of Edinburgh were now paid precisely in the same way as those of many other boroughs in Scotland. It was perfectly true that no sooner was it found that they were going to settle the question than an opposition was got up in the city of Edinburgh by the very men who asked him to shape the Bill on the very principle on which he had introduced it. He found from the city accounts that there were from year to year surplus funds arising out of the current income which were applied to the redemption of property. His opinion was that they ought to apply the current income to the current expenditure, and that they ought not to proceed to the use of the current income as so much capital to be employed in the purchase or redemption of property. Last year he found that there was a sum of £3,900 applied in this way. If next year the same surplus should be available the magistrates would not require to lay on the tax of £4,200 a year. In saying this he did not mean to throw out any charge against the members of the Town Council. He believed that they had acted in the best of faith, and that what they had done had been done from a misreading of the real intentions of the statute. He had thus explained the reasons which rendered it impossible for him to give the slightest sanction to the proposition for taking away the security guaranteed to the clergy in 1860; but if he were to go into the details of the Bill it would be equally unfavourable for him to support it. It proposes that the ministers were to be paid £4,000 out of the seat-rents; but the seat-rents last year yielded only £3,700, and out of that sum £1,700 was taken for the maintenance of the fabrics of the churches, so that the ministers only received £1,900. Now, the Bill says that these seat-rents may be so managed as to produce £4,000, for which no reasons are given whatever. Then, it is proposed that for the maintenance of the fabrics, and for cleaning, lighting, and so on, they should lay hands on the church-door collections, if they could get them for such a purpose. He thought it would be a most improper use of them; but did not his hon. Colleague in a moment see that if he were to obtain such an enactment, the contributors would find out other channels for their money if the charities in which it is now spent were closed, and not a single farthing would come into his hands, so that the result would be, while you gave £4,000 with one hand out of the seat-rents, you would take back £2,000 with the other for the maintenance of the fabrics. He would strongly urge upon his hon. Colleague not to persevere with his present Bill, which could only produce one result—the increase of the agitation. If his hon. Colleague would address his mind to a subject which he well understands—the state of the city accounts—and see whether this sum of £4,200 can be liquidated out of the surplus revenue, and without touching the security, he would render material service to the city. He hoped he would not press his Bill, but that he would at once withdraw it. Should he go to a second reading he should be compelled to vote against the measure which he had introduced.

MR. CRUM-EWING said, he would remind the House that he had not supported the measure of 1860, and rose to correct a mis-statement of the hon. Baronet opposite (Sir James Fergusson). The hon. Baronet said that the opposition to the Bill of 1860 was carried on by a few noisy sectarians. That was not a correct statement. 7,600 of the inhabitants signed petitions and protested against the measure, and amongst those whom the hon. Baronet called "noisy sectarians" were Mr. Douglas, Professor Balfour, Sir James Simpson, Mr. Duncan, and Mr. Cowan, formerly Member for Edinburgh, and several others of equal respectability. He was sure the hon. Baronet would not deliberately designate these men as mere noisy sectarians. The subject was viewed in Scotland like the question of church rates in England. It was not the amount produced by it that gave rise to the feeling against it. The opposition against it was a matter of sentiment, and as such was to be respected. He was sure the agitation would never cease until such a Bill as was now proposed was passed. He therefore gave it his cordial support.

MR. HADFIELD observed, that the principle of the measure was affirmed in the year 1859 on two divisions, in which the majority in its favour was in the first instance 40, and in the second 60. In 1860 there were 15,000 petitioners against the continuance of this impost, and it was so objectionable that when distraints were made on account of the non-payment of the sum demanded there was the greatest excitement, and on one occasion no less than fifty-two policemen were called in to preserve the peace. This was a simple question of the reduction in the number of ministers who received this money from thirteen to ten, and it was only a few even of the Established Churches in Edinburgh which could claim to participate in the money derived from this tax, and it was a singular fact that the congregations attending those churches were in such a position as to be able to ride in carriages. He thought it disgraceful that fifty-two policemen should be employed to assist in levying an objectionable tax of this nature in Edinburgh for the benefit of the comparatively rich portion of the populace.

MR. CUMMING-BRUCE remarked, that the hon. Gentleman who last spoke had referred to the agitation which the question had excited, but had not noticed the mode in which that agitation was fomented. Now, the evidence given before the Committee of last year by Mr. Maitland, the sheriff clerk, showed that very inflammatory suggestions were published in some of the newspapers. It was recommended that in every case of distraint a placard should be posted on the door in these terms:—"Provided for clerico-police tax. . . . Who'll buy? Shame! shame! so to outrage Dissenters and religion," or that a black flag, bearing the notice or inscription, should be suspended from the window. In one instance, moreover, a placard was issued headed "Robbery and religion," and inviting all who loved justice and hated robbery to attend the sale.

The settlement of 1860 was passed with great unanimity, and was based on terms exceedingly fair. The clergy sacrificed five of their number, and agreed to accept £600 a year, whereas their incomes would otherwise have reached £800 or £1,000, while the members of the College of Justice gave up their right of exemption from the tax in order to promote the peace and good feeling of the city. That object had on the whole been attained; for, though some slight agitation had since been attempted, the more influential classes had held aloof from it, and the fact of a petition bearing 11,000 signatures amounted to very little, it being easy for persons hawking petitions about to get signatures for any object. As for the Committee of last year, it was an utter waste of time, and the proceedings were virtually a duel between the two Members for Edinburgh, the hon. Gentleman (Mr. M'Laren) wishing to throw dirt on the late Lord Advocate, and the latter occupying hours in cross-examining witnesses to show that he was not deserving of censure.

Mr. M'LAREN, in reply, said, that he was desirous in the first instance of giving the most emphatic denial, which the forms of this House would allow of, to the statement which had just been made by the hon. Member for Elgin to the effect that when the Committee sat he endeavoured to throw discredit upon his Colleague (Mr. Moncreiff). They would not find one particle of evidence in the blue book to support this allegation, which had been so unjustly made. Seeing that his hon. Colleague was not present in the House to-day during the period when he had spoken in support of the second reading of this Bill, he had refrained from even alluding to his existence—though if he had been present there were several points upon which he should have touched, but which, in consequence of the non-attendance of the hon. and learned Gentleman, he had, from a feeling of delicacy towards him, omitted from his statement to the House. The hon. Baronet the Member for Ayrshire seemed to think that he (Mr. M'Laren) had spoken disparagingly of the worth and usefulness of the ministers in Edinburgh. He hoped the hon. Baronet would do him the justice to believe that this was an entire misconception. He had known most of the ministers of Edinburgh personally for the last thirty years, and nobody in this House respected them more than he did, and it was not in the least degree in his mind to cast any reflection upon them. He merely meant to say, that when the people should have the selection of their own ministers in these churches the appointment of good men, according to the views of the different congregations, would be ensured, and the churches would be well filled. It was said that the clergy gave up a large portion of their stipend—agreed to accept £600 instead of £800, which they had before received. He believed, however, that it would be found that the clergy had never received more than £600. He denied the accuracy of the statements made by the hon. Gentleman the Member for Leith, that there was any grievance of which the people of Leith could complain, seeing that the Town Council of Edinburgh had given the clergy, from their own property, this sum of £2,000; and it was therefore quite incorrect to say that it was a burden on the dock dues or other charges leviable by the authorities of the port of Leith. It was a perfectly fair equivalent for the £2,000 a year which the clergy formerly levied as "Merk per ton," which rate was entirely abolished by a clause in the Agreement Act of 1838. This Act was unanimously approved of by the Town Council and inhabitants of Leith, who sent a member of the Town Council to London to assist in getting the Bill carried through Parliament, to confirm the agreement so unanimously concluded, along with himself (Mr. M'Laren), who had been appointed for the same purpose by the Town Council of Edinburgh. It was a mere delusion to say that the people of Leith paid one farthing in lieu of the Annuity Tax. His predecessor, Mr. Black, had been met with the same groundless allegation in 1859, when, according to *Hansard*, he

> "Showed that the £2,000 was the property of the city, which the inhabitants of Leith had no more right to than the inhabitants of Dalkeith."

The hon. Gentleman concluded by quoting the opinion of the late Sir George Lewis in favour of a measure similar in principle to the present, observing that he thought that the deliberate judgment of so calm and sagacious a statesman ought upon such a point to be conclusive.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 74; Noes 107: Majority 33.

Words *added*.

Main Question, as amended, put, and *agreed to*.

Bill *put off* for six months.

AYES.

Allen, W. S.
Amberley, Viscount
Ayrton, A. S.
Barnes, T.
Baxter, W. E.
Bazley, T.
Beaumont, W. B.
Bowyer, Sir G.
Brady, J.
Bright, J.
Browne, Lord J. T.
Candlish, J.
Chambers, T.
Clay, J.
Cowen, J.
Dalglish, R.
Davey, R.
Denman, hon. G.
Dilke, Sir W.
Dillwyn, L. L.
Edwards, C.
Erskine, Vice-Ad. J. E.
Ewart, W.
Ewing, H. E. Crum-
Eykyn, R.
Fawcett, H.
Forster, W. E.
Fortescue, hon. D. F.
Gavin, Major
Gilpin, C.
Goschen, rt. hon. G. J.
Gridley, Captain H. G.
Hadfield, G.
Harris, J. D.
Henley, Lord
Hibbert, J. T.
Hurst, R. H.
Ingham, R.
King, hon. P. J. L.
Kinnaird, hon. A. F.
Laing, S.
Lawrence, W.
Leatham, W. H.
Leeman, G.
Lefevre, G. J. S.
Lennox, Lord G. G.
Lewis, H.
Locke, J.
Lusk, A.
Merry, J.
Mill, J. S.
Mills, J. R.
Monk, C. J.
Morris, W.
Murphy, N. D.
O'Beirne, J. L.
O'Brien, Sir P.
Oliphant, L.
Pease, J. W.
Potter, E.
Potter, T. B.
Seely, C.
Shafto, R. D.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. B.
Stansfeld, J.
Stuart, Col. Crichton-
Sykes, Colonel W. H.
Taylor, P. A.
Trevelyan, G. O.
White, J.
Williamson, Sir H.
Young, R.

TELLERS.

M'Laren, D.
Baines, E.

NOES.

Adam, W. P.
Agnew, Sir A.
Bagge, W.
Bagnall, C.
Baillie, rt. hon. H. J.
Barclay, A. C.
Barrow, W. H.
Bateson, Sir T.
Beach, Sir M. H.
Bentinck, G. C.
Blennerhasset, Sir R.
Bonham-Carter, J.
Bridges, Sir B. W.
Bruce, Lord C.
Bruce, C.
Burrell, Sir P.
Carnegie, hon. C.
Cecil, Lord E. H. B. G.
Chatterton, hon. E.
Clive, Capt. hon. G. W.
Cole, hon. H.
Cole, hon. J. L.
Colebrooke, Sir T. E
Colthurst, Sir G. C.
Conolly, T.
Cooper, E. H.
Corry, rt. hon. H. L.
Craufurd, E. H. J.
Cubitt, G.
Dickson, Major A. G.
Dimsdale, R.
Du Cane, C.
Dunne, General
Earle, R. A.
Egerton, hon. A. F.
Egerton, E. C.
Evans, T. W.
Fane, Colonel J. W.
Feilden, J.
Forde, Colonel
Forester, rt. hon. Gen.
Goddard, A. L.
Goldney, G.
Goodson, J.
Gore, J. R. O.
Gorst, J. E.
Graves, S. R.
Greenall, G.
Grey, hon. T. de
Griffith, C. D.
Gurney, rt. hon. R.
Gwyn, H.
Hamilton, Lord C.
Hardy, rt. hon. G.
Hartopp, E. B.
Hay, Sir J. C. D.
Holland, E.
Hotham, Lord
Howes, E.
Huddleston, J. W.
Hunt, G. W.
Karslake, Sir J. B.
Kekewich, S. T.
Lanyon, C.
Lennox, Lord H. G.
Lindsay, hon. Col. C.
Lowthor, J.
M'Lagan, P.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Miller, W.
Moncreiff, rt. hon. J.
Mowbray, rt. hon. J. R.
Naas, Lord
Neate, C.
Noel, hon. G. J.
Northcote, rt. hn. Sir S. H.
Parker, Major W.
Patten, Colonel W.
Peel, rt. hon. General
Powell, F. S.
Read, C. S.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, Sir J.
Russell, A.
Schreiber, C.
Scott, Sir W.
Scourfield, J. H.
Selwyn, C. J.
Seymour, G. H.
Simonds, W. B.
Smollett, P. B.
Speirs, A. A.
Stanhope, J. B.
Stirling-Maxwell, Sir W.
Stuart, Lieut-Col. W.
Surtees, H. E.
Taylor, Colonel
Tottenham, Lt.-Cl. C. G.
Tracy, hon. C. R. D. H.
Waldegrave-Leslie, hn. G.
Walker, Major G. G.
Walpole, rt. hon. S. H.
Whitmore, H.
Wise, H. C.
Yorke, J. R.

TELLERS.

Fergusson, Sir J.
Montgomery, Sir G.

CRIMINAL LAW BILL—[Bill 8.]

(*Mr. Russell Gurney, Mr. Coleridge.*)

SECOND READING.

Order for Second Reading read.

Mr. RUSSELL GURNEY, in moving the second reading of this Bill, the object of which is to remove certain defects in the Administration of the Criminal Law, said, it contained one or two provisions involving some degree of novelty. The first of these provisions was to this effect—that wherever any bill of indictment was preferred to any grand jury against any person who had not been committed to custody, or bound by recognizance to answer such indictment, and which indictment was ignored by the grand jury, or, being found by them, the accused should be acquitted thereon, and the Court which tried it should think it had been preferred without reasonable cause, then the Court should be empowered to order the prosecutor to pay the just and reasonable costs incurred by the accused. Such a provision would tend to check prosecutions instituted to extort money or from some other improper motive, and it would render it unnecessary for the accused to have recourse to a civil action for redress in respect of a vexatious prosecution. It sometimes happened that when a magistrate had dismissed a criminal charge the prosecutor still persisted in going before a grand jury, and probably on his own evidence obtained a true bill; but when the trial came on before the petty jury, his counsel got up and said there was not evidence to justify his proceeding further with the charge. The second section of this Bill would meet cases of that kind. Again, the Bill also proposed to enforce the attendance of witnesses whose evidence was material to establish the case of the prisoner, and to provide for their subsequent remuneration. Such powers already existed in regard to the attendance and payment of the witnesses required to prove the prisoner's guilt, and for the due administration of justice there should be a similar provision in regard to the witnesses required to prove his innocence. There were introduced into the Bill such checks as would prevent the abuse of this privilege. He also proposed, that when the case for the prosecution was closed before the magistrate, the prisoner, after he was asked whether he had anything to say in his defence, should also be asked whether there were any witnesses he wished to have called. He had known cases in which a prisoner had been committed for trial without his witnesses being called, owing to his ignorance of the forms observed before a magistrate. The prisoner's witnesses, when called before a magistrate, would be bound over to appear at the trial; and the Bill proposed to give the Judge the same power of directing the expenses of those witnesses to be paid as he had in directing the expenses of the prosecution to be paid. The only objection urged against the Bill was that it would involve great expense; but when it was recollected that the people of this country paid millions to secure a due administration of justice, he did not think such an objection ought to carry with it much weight.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Russell Gurney.*)

Mr. HURST said, he did not oppose the second reading, but thought that there were some provisions in the Bill which if allowed to remain in it should lead the House to reject it. He alluded particularly to the principle, introduced for the first time in such cases, that the cost should depend on the result of the prosecution. As the Bill stood he thought it would be unworkable. If bills of indictment could be got behind the backs of accused persons by going before grand juries, the best remedy was to do away altogether with grand juries, which had become in the present state of the law not only useless but an incumbrance to the due administration of justice. He had hoped that this Bill would have contained a provision to that effect. As to the proposal that prisoners' witnesses should be paid, the Bill went too far; and it would be unfair for the prisoners' witnesses to be paid while those for the prosecution were not. The Judges' power of directing the payment of the costs of prosecutions required to be enlarged—as, for example, in the case of prosecutions for misdemeanor, and for attempts to obtain money or goods by false pretences. Trusting that the Bill would be amended on these points in Committee, he did not think it necessary for him to add anything further.

Mr. DENMAN said, he agreed that the practice relating to allowing costs for the expenses of prosecutions required amendment. The legislation on this subject was by no means consistent, and had taken place in the most anomalous and accidental way. By various Acts of Parliament costs were allowed in some cases of felony and misdemeanors, but there were many other criminal cases in which the court could not give costs, and this was a favourable opportunity of dealing with this point. As to the Bill itself, it was well worthy the attention of the House, for nobody had more experience of the working of the criminal law than the learned Recorder of London. For the purposes of that measure it ought not to be assumed that grand juries would be abolished; and as long as they existed, especially in that metropolis, there would be a danger of malicious prosecutions. In such circumstances the Judge at the trial should have power to prevent an innocent man from suffering in pocket. Guarded as it was by that Bill, the provision respecting the payment of prisoners' witnesses deserved a favourable consideration, though he must not be considered as pledging himself to all the details of the clauses proposed. The clause, enabling persons summoned to serve on juries in any civil or criminal proceeding to make a solemn affirmation in lieu of taking an oath, when they declared that according to their religious belief the taking of an oath was unlawful, would remove a great scandal from the administration of justice. He congratulated the House that a Gentleman of known Conservative principles had at length come forward to legislate in favour of liberty of conscience in such a matter. If any one on that side of the House had proposed a similar measure, there would probably have been a loud outcry against the proposal, as one of a Radical tendency. On the whole, with some alterations which would be necessary in Committee, he thought this was a desirable Bill.

MR. WALPOLE agreed that the Bill ought to go to a Committee of the House, and suggested a distant day should be appointed for the purpose to give time to hon. Members to prepare their Amendments.

MR. RUSSELL GURNEY was ready to accede to the suggestion of the right hon. Gentleman. There were many things which he should have liked to have included in the Bill, but he had omitted to insert them in order to secure unanimity on certain points included in the Bill.

Motion *agreed to.*

Bill read the second time, and *committed* for *Wednesday*, 13th March.

SUPPLY—SUPPLEMENTARY CIVIL SERVICES 1866-7.

Resolution [February 18] *reported.*

Vote £600, Houses of Parliament.

MR. OSBORNE said, that on Friday last he gave notice of his intention to ask a question of the First Commissioner of Works, but he did not see the noble Lord in his place. However, he would say that his question referred to the accommodation provided in what was called the Ladies' Gallery of that House. The state of that accommodation was so infamous; the ventilation was so bad, that it was positively disgraceful to the House that they should permit any ladies to sit in that gallery, ventilated and accommodated as they were. What he wished to put to the First Commissioner of Works, who had shown a great desire to improve everything connected with the House, was, whether they had not arrived at a time of day when that very unpleasant railing might be removed altogether, and the House of Commons might conduct their debates as the debates were conducted in the House of Lords? He was sure it would be a very great advantage to the ventilation, and also to the occupants of that Gallery. Anybody who would go up to that Gallery when the House was full and the Gallery was full would find it very difficult to sit there. When the Legislature was engaged in improving the sanitary condition of the metropolis he thought they ought also to endeavour to improve the sanitary condition of the Ladies' Gallery. And he hoped that immediate steps would be taken by the First Commissioner to make so desirable and necessary an improvement.

SIR GEORGE BOWYER entirely concurred in the observations of the hon. Member who had just spoken. Last Session and the Session before he (Sir George Bowyer) called attention to the inadequate accommodation of the Ladies' Gallery. It was quite disgraceful. When the House was full, the foul air in the House went up there. Air which had already passed through several hundred pairs of lungs went up to that Gallery and made it perfectly intolerable. He must say also that he did not see any reason why ladies should be shut up behind a grating in that House when in the House of Lords that was not done. He did not see why an arrangement, which was not an inconvenient one in the Lords, should not be adopted in the Commons. He therefore urged on Her Majesty's Government the expediency of removing those gratings which made the House of Commons unwholesome, and the Ladies' Gallery not only unwholesome but also disagreeable.

MR. WALPOLE said, he was not aware that the notice to introduce this subject had been given, as it did not appear on the paper.

MR. OSBORNE: The notice was a private notice.

MR. WALPOLE: I think perhaps the discussion had better not go on. It can be resumed next day on the question of Supply.

MR. BRADY expressed a hope that in any alteration made, an enlargement of the Ladies' Gallery would be included.

MR. BENTINCK wished distinctly to say that he had nothing whatever to do with the £600 to Mr. Cope.

Vote *agreed to.*

Afterwards—

LORD JOHN MANNERS said, he had to apologize to the hon. Member for Nottingham for not being in his place a few minutes ago, in which case he might have given a fuller answer to the hon. Gentleman's inquiry. He had been informed that the hon. Member had complained of the ventilation of the Ladies' Gallery, and had asked whether it was not the intention of the Government to take some steps to improve it. As soon as Parliament was prorogued last year he made inquiry into the subject, and he had hoped that some improvement had been made during the recess. If those measures had not been successful in giving free air to the Ladies' Gallery he was deeply sorry. The whole subject of the ventilation of the House was under the management of Dr. Percy, and he would communicate with him in regard to the better ventilation of the Ladies' Gallery.

MR. OSBORNE: Would the noble Lord have any objection to order the removal of the brass rails in front of the Gallery?

LORD JOHN MANNERS: That is a grave and delicate question to which I cannot be expected to give an answer offhand.

UNIVERSAL EXHIBITION AT PARIS.

Vote £50,000, Universal Exhibition at Paris.

MR. BERESFORD HOPE said, he trusted that before the House adopted this Vote they would have some distinct promise from the Government that the whole details of this most extraordinary grant should be laid upon the table. The Vote came before the House by surprise the other night, and there was some discussion, a desultory discussion; but still it was sufficient to show the feeling of the House. He had taken part in it as a Commissioner; but he believed that the occupants of the Treasury Bench and of the ex-Treasury Bench were all in the same boat as Commissioners of the Exhibition. The Commission originally consisted of the Ministers of State, heads of the art and scientific societies, of which he was one, and what were called "representative men." The change of Government led to the new Ministers being put on, while the old ones did not go off, and so they had become a very numerous body. But what had they done? They had been summoned half-a-dozen times to pleasant meetings in the Sheepshanks Gallery, where they sat round a horse-shoe table, admirably presided over by an illustrious personage, and where resolutions cut and dried had been submitted to their notice. These might be divided into two classes; some were too simple for consideration at all, while others were altogether ridiculous. In fact, they were treated by the authorities at South Kensington, whenever the latter wanted to smother some monstrous suggestion from Paris, as the cats that were to pull the chesnuts out of the fire. But there was no intelligible account of what the Executive did or did not do in concert with the authorities of France. No balance-sheet or any intelligible general report had ever been placed before them. What the Executive did was done in correspondence with the Imperial Commission at Paris, and the matters were not brought before the Commissioners in London. [MR. OSBORNE: Who is the Executive?] Why, the Secretary of the Science and Art Department—he was the Executive. As an instance of the way things were done he had, as President of the Institute of Architects, and feeling interested in promoting an exhibition at Paris of the best architectural works of our eminent English architects, written in November, 1865, begging that they might be placed in relation with the Commissioners. It took three months before the matter was taken notice of—namely, in February, 1866, and the time for giving effect to the scheme had then almost passed by, and nothing had occurred since but trouble and vexation. The Commissioners would, no doubt, be spoken of as wasters of £116,000 on this Paris Exhibition; but they were no more responsible than was that honourable House. He trusted that before another farthing was voted to the Paris Exhibition the House would have a full statement of the appropriation of the £116,000 laid on the table.

MR. OSBORNE said, that probably the Secretary of the Treasury would lay on the table of the House what he had on a recent occasion volunteered to produce—namely, the correspondence relating to the expenditure of that additional £50,000. Perhaps he would also give them an assurance that the £116,000 would cover everything, and that there would not be a future demand for £50,000 more.

MR. HUNT could assure the House that he quite sympathized with the feeling which that Vote had excited. Indeed, he had experienced all the phases of feeling which the House had exhibited, with some additional symptoms of vexation. His first sensation had been surprise; his next indignation; then he got to protestation; and for some time he had endeavoured, rather ineffectually, to settle his mind in a sentiment of Christian resignation. But he wished to correct a misapprehension which prevailed as to a former expression of his about the responsibility of the Government in this matter. Objection had been taken to his remark that neither the present, nor the late, nor hardly any, Government was responsible in regard to it. Perhaps his expression had been rather too vague. If they took the term "responsibility " in the conventional sense in which it was ordinarily used in that House, no doubt a Government which proposed a Vote was responsible for it. But he ventured to say that if their responsibility was held to be confined to those things as to which they had the liberty of a choice, neither the present nor the late Government were responsible for that expenditure. For, supposing the offers made of space for the Exhibition at Paris of the arts and manufactures of this country to have once been accepted by the English Commissioners, the Government could not then help themselves. He might remind the House that the British Commissioners were appointed in 1865. It was not until May, 1866, they learnt the whole of the conditions imposed by the Imperial Government upon foreign exhibitors. It then became a matter for consideration whether those conditions should be accepted or not. The correspondence would not show the whole of the communications that took place, but it was decided, with one or two exceptions, that the principles laid down by the Imperial Commissioners should be accepted. In May or June of that year officers attached to the Science and Art Department at South Kensington were sent over to Paris by the President and Vice President of the Council in the late Government to make estimates for these works. Before those estimates were completed the change of Government took place, and one of the first things he heard when he became Secretary to the Treasury was that about £90,000 would be required for the French Exhibition. He was much surprised, and protested against the amount, but was told that, the Royal Commissioners having accepted the terms imposed, no less a sum would be sufficient. The first item was for internal fittings £16,100. He was informed that the building, being divided into apsidal compartments, required more expensive buildings than if the edifice had been a square or parallelogram. The remaining items were :—Supplementary buildings and park, £23,065 ; ancient and modern art, £11,050 ; management, watching, and cleaning, £14,755 ; [An hon. MEMBER : It costs more than art, ancient and modern] house and office expenses, £17,190 : freight, £8,250 ; Royal Commission expenses, £2,750 ; — making altogether £93,160. When the Estimate was presented to his noble Friend the President of the Council he reduced it to the above sum, but he found that not more than £2,000 or £3,000 would be taken off. The difference between the above sum of £93,160 and the Vote of £116,650 was caused by the additional items of £11,490 for the exhibition by Government Departments, and £12,000 for the jurors. With regard to the exhibition by Government Departments, it had been decided that this country would do what other Governments did in this matter. The President of the Council, the Secretary for War, and the First Lord of the Admiralty of the late Government determined, after due inquiry, that the manufactures connected with the army and navy should be exhibited, and since that time some additions had been made by including the department of the Trinity House. These expenses might, no doubt, be slightly reduced, and he was bound to say that the present President of the Council was responsible for the plan by which it was proposed to compensate the jurors for their services ; but, as he said before, neither the present nor the late Government were either technically or morally responsible for the expenditure. The hon. Gentleman had asked whether he (Mr. Hunt) could assure the House that this Vote of £116,650 was all that would be asked for. It was impossible for him to give any pledge of that sort. All he could say was that the fault would not rest with the authorities of the Treasury if the expenditure were exceeded, for every means had been taken to urge upon those who had the spending of the money, the necessity of not going beyond the limits of the Vote.

MR. NEWDEGATE wished to know whether he was to understand that the War Department intended to exhibit the arms made at Enfield out of the funds supplied by that House? The small-arm manufacturers of Birmingham always wished to compete with Enfield, and it would hardly be fair to them if Enfield were to exhibit as a manufacturing establishment at the expense of the public.

MR. BENTINCK complained that the House had not yet had explained to it who really was responsible for this expenditure. His hon. Friend (Mr. Beresford Hope) had told the House that he was a Commissioner and attended the meetings. He (Mr. Bentinck) believed that he also was a Commissioner, although he had never attended a meeting. It was highly desirable the House should know who was responsible for this outlay.

Mr. CORRY : Early in the course of last year the question had to be considered whether the Departments of the army and navy should exhibit at Paris; and on the 19th of February the Royal Commissioners recommended that the Government of this country should follow the example of other countries; and as it appeared that Austria, Prussia, and other States were going to exhibit munitions of war, it was settled that Great Britain should do so likewise. It was necessary to provide accommodation for these articles, which were of a very bulky character. It was arranged that buildings should be erected for their reception and display — a boiler-house, a testing-house, a building for barrack articles, for munitions of war, and another large building for agricultural machinery, and various other buildings. The principle that all these buildings should be erected at the expense of this country, in the same manner as similar buildings were to be erected at the expense of other exhibiting countries, was sanctioned by the late Government, and when the present Government came into office all they had to do was to determine what sum to ask for the construction of these buildings. The Duke of Buckingham took the greatest pains to reduce these Estimates, and but for his exertions they would have been considerably higher than the amount now asked for. The late Government had either to do what they did or withdraw from the competition altogether. In his opinion, they wisely determined not to withdraw, and the present Government had done no more than come to a similar decision.

Sir GEORGE BOWYER said, that no answer had yet been returned to the simple question, where did the responsibility for this expenditure lay, since it was disclaimed both by the present Ministers and by the former ones ? He wished to know who the subordinate officer was who had conducted the correspondence on the subject, and had thereby incurred this expenditure ; who was the man, what was his name, and how was it that all the responsibility rested upon him ?

Mr. WALPOLE : There is no great difficulty in answering the question of the hon. Baronet. The incurring of the expenditure depended upon whether England should or should not, like other countries, exhibit in the French Exhibition. When that was once determined in the affirmative, England was of course put upon the same footing as other countries with regard to expenditure. As long ago as February, 1866, it was determined, on the part of the French Government, that certain expenses should be incurred by exhibitors, and when it was determined that this country should exhibit, the question of amount depended upon the conditions imposed by the French Government. Well, this being settled, the precise amount of the Estimate was, of course, to be determined by the Ministers for preparing the Estimates to be laid before the House ; and this was done by the late and not by the present Government.

Mr. DYCE NICOL hoped that the French Government would duly appreciate the generosity of the English Government on the present occasion, which was a strong contrast with the spirit displayed in 1862.

Mr. SCOURFIELD observed, that the question put by the hon. Member for Dundalk (Sir George Bowyer) had not been answered—namely, who were the responsible parties for the proposed expenditure ?

Mr. Serjeant GASELEE remarked, that not only had no answer been given, but the House had been told that neither the present nor the late Government were responsible. The House had a right to know by whom the expenses had been authorized. It was a contradiction to say that when the English Government determined to exhibit they necessarily incurred this expense. One of the Commissioners had stated that whenever he attended the meetings there was no practical business brought before them. It appeared that there was some one behind the scenes who was spending all this money. Another question was, who was to be responsible for the future ? He hoped the House before voting such an enormous sum would be satisfied on these points.

Mr. HUNT said, he had already stated that the late President and late Vice President of the Council sent to Paris officers of the Science and Art Department. [Mr. Osborne : What officers ?] He believed they were engineer officers, and they were sent to make estimates for certain works in accordance with the conditions imposed by the French Government. These estimates were submitted to the President of the Council (the Duke of Buckingham) after he had accepted office, and who accepted them subject to certain modifications. The estimates were prepared on the authority of the late Government, and, with some modifications, accepted by the present

Government, who did not shrink from the responsibility they had incurred.

SIR GEORGE GREY said, it was clear that if this country exhibited at all a certain amount of expense must be incurred. It was not to be expected that we should exhibit according to the conditions laid down by the French Government and then refuse to pay. He thought that the answer given by the Secretary of the Treasury was satisfactory as to the course that had been pursued. Officers had been sent over, not to spend the money, but to prepare Estimates, and their Estimates had been approved, subject to certain modifications. It was not said that, looking to the objects to be attained, these Estimates were extravagant. [MR. OSBORNE: Yes, I say so.] The item for fittings could not be said to be extravagant. [MR. OSBORNE: No; the item for management.] With regard to any future expenditure, the existing Government would not authorize any outlay without first approving the Estimates for such expenditure.

CAPTAIN GRIDLEY said, it was clear that no future expense could be incurred except under the responsibility of the Government, and he trusted that they would defer to the feeling of the House by giving an assurance that they would not allow any further expense to be incurred beyond the present sum of £116,650. He considered the item of £14,755 for management enormous. Then, with regard to the charge of £12,000 for jurors. No such charge was made for the Exhibition of 1862, and he wanted to know why £12,000 should now be paid when our own jurors received no remuneration. It appeared that part of the money had gone for planting trees and laying out gardens. He did not understand that this was part of the necessary expense of an Exhibition, any more than gilding the stalls or enamelling the counters would be, and could not see why such charges should fall on the taxpaying people of this country.

MR. THOMSON HANKEY hoped that it would not go forth to the country that the House had asked Her Majesty's Government to give any pledge on the subject. How was it possible to know whether the Estimates might not be exceeded? Those who had given the orders were bound to pay for carrying them out.

MR. DILLWYN hoped the Government would give an answer to the question which had been put respecting the £116,650. The request was a most reasonable one, and it was high time some stop should be put to the expenditure.

SIR STAFFORD NORTHCOTE said, it was difficult to give the assurance asked for. The Government had revised the Estimates with the greatest care. They had cut them down as low as possible, and he did not expect there would be any excess beyond what would be covered by the present Vote. It was an unusual course, however, that they should be bound by any specific pledge that the Estimate should not be exceeded under any circumstances; and all they could say was that so far as it was in their power the Estimate should not be exceeded.

Vote *agreed to.*

Resolution *agreed to.*

SALE AND PURCHASE OF SHARES BILL.

LEAVE. FIRST READING.

MR. LEEMAN rose to move for leave to bring in a Bill to amend the Law in respect of the sale and purchase of Shares in Joint Stock Banking Companies. The joint-stock banking companies of this country were themselves the creation of Parliament, and they were entitled to the protection of the House. The object of this Bill was to render it imperative on any one who entered into a contract for the sale of shares that he should specify the particular share or shares sold by their particular numbers.

SIR STAFFORD NORTHCOTE had no objection to the introduction of the Bill, but the Government would reserve their opinion upon it until the second reading.

Motion *agreed to.*

Bill to amend the Law in respect of the sale and purchase of Shares in Joint Stock Banking Companies, *ordered* to be brought in by Mr. LEEMAN, Mr. WALDEGRAVE-LESLIE, and Mr. GOLDNEY.

Bill *presented*, and read the first time. [Bill 38.]

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

LEAVE. FIRST READING.

LORD NAAS, in moving for leave to introduce a Bill to renew, for a short period, the Habeas Corpus Suspension Act (Ireland), said: I think it will be more convenient to the House if I make the statement, which it is, of course, necessary to make, to-morrow in moving the second reading of the Bill. Therefore, if it meet with the approval of the House, I will content myself with making this Motion, reserving the statement until the second reading, which will be placed first on the Orders to-morrow.

Mr. BRADY said: Sir, I rise to express my entire approbation of the course proposed to be adopted by the noble Lord the Chief Secretary for Ireland. I think it is necessary he should have the powers he asks for, and I feel satisfied that the powers to be vested in the Executive in Ireland, will be exercised wisely and to the advantage of the country. I do not, however, wish it to be understood that, in supporting the renewal of this measure, I wish it to be thought that I consider the people of Ireland disloyal, because, on the contrary, I believe that they are truly loyal —loyal to the heart's core to the Throne and Constitution of the United Kingdom. I believe, however, that there is in Ireland a certain amount of discontent, which is natural to the people from the circumstance of their social condition, and it is my firm conviction that if they were raised in the social scale they would be not only as loyal, but as peaceable a people as could be found on the face of the globe. But, Sir, I wish to state that the chief object which I have in supporting the measure of the Act for suspending the Habeas Corpus in Ireland is, that the Government shall have the power to deal with those emissaries who are sent from America by designing and corrupt persons to raise the spirit of discontent in the country, and who, unhappily in a few cases, have had the desired effect. I hope and trust that if any of them are found committing any act contrary to the spirit or law of the country that they will be taught a lesson which they will never forget. I before said the people of Ireland are discontented, and I may add that their discontent arises, not from any disposition on their part to disobey the law, but because their social condition is inferior to that of any other people in the world There, in the 19th century, with telegraphic communication to every town which brings them information with respect to the happiness, wealth, and prosperity of every other nation in Christendom, they find that they are the poorest, the worst fed, and the worst clothed of all the nations of the earth. This reflection cannot but be the cause of much of the discontent which exists in Ireland; but I have great hope that this state of feeling will not much longer continue to exist, because there are some circumstances which augur well for the future of the country. I find that a Conservative Administration, while calling for measures of repression to support the Constitution, are at the same time bringing forward a measure of a different character calculated to alleviate the condition of the people. I hope that the Bill, which was brought in a few nights since by the noble Lord the Chief Secretary for Ireland for the improvement of the land, will be carried out with a spirit of forbearance and concession on both sides of the House; and, if so, I believe it will not only confer great benefit upon the country, but will reflect the utmost credit upon the Government. I repeat that it will reflect credit upon the Government, because it shows that they have the manliness to bring forward remedial measures at a moment when a measure of repression is also necessary, and it shows that the spirit by which they are influenced is very different to that which formerly animated them. I thank the noble Lord the Chief Secretary for Ireland for having introduced the Land Bill in the interests of peace, and I beg to assure him that it will afford me satisfaction to give him my support on the present occasion.

Mr. COGAN said, he could not allow a Bill so important as this to be introduced without expressing his deep regret at the necessity for it. It would be a very bad precedent to let it be thought that a Bill of this nature, suspending the Constitutional liberties of the people of a large portion of the United Kingdom, could be allowed to be brought in as a matter of course; and he felt that nothing but the most imperative necessity would justify the Government in introducing such a measure. He regretted to say that he feared the Government would be able to make out such a case as would justify them in the course they had adopted; but he must express his feeling that it was humiliating to the House and discreditable to the country that after so many years of connection between England and Ireland it should be necessary in 1867, for the tenth time, he believed, since the Union, for the Secretary for Ireland to be compelled to ask for the suspension of the Constitutional liberties of the people. That was a condemnation of England's government of Ireland. It was no use to say that that pestilential conspiracy which was blighting that country, destroying every commercial enterprize and its material improvement, had its roots in a foreign soil; it should not be forgotten that the seed from which these roots grew came from those of the Irish race who, banished from their own homes, had gone to another country where they had obtained that permission to live and prosper which, by means of the defective state of legislation, they were unable to obtain in their native country, and that they carried with them those feelings of resentment and animosity to this country which was now becoming such a source of difficulty and danger. It should be borne in mind they would have no material to work on if there was a contented population left in Ireland. Almost all classes in Ireland were unanimous in condemning the Fenian movement, which had its root in a foreign country, but which would not have become so formidable even as it had, had it not been able to feed on a discontented population at home. One cause for the existence of that discontent was to be found in the relations existing between landlord and tenant in Ireland, which were extremely unsatisfactory, and in dealing with which he regretted to say he thought the measure which had been brought in by the Government a few evenings ago would turn out to be entirely illusory. He was, at the same time, happy to believe that considerable good would result from its introduction, inasmuch as both the great parties in the House were now committed to the opinion that the Irish land difficulty must be faced, and, if possible, solved by means of legislative enactment. Absenteeism was another of the great sources of the unhappy social condition of Ireland; and the position of the Established Church naturally produced great dissatisfaction and irritation. That was a question which must soon be settled, and the sooner the better. He believed it to be the most important of all, and to be at the root of all the evils of Ireland. There never could, there never ought to be content there until there was perfect religious equality, which could never be while there was an Established Church, and that the church of a small minority of the people. Until those questions were settled we should never have that unity between the two countries which, in a national point of view, it was so desirable should exist. He could not allow a proposition to be passed for further suspending the liberties of his country without entering a protest at the manner in which Ireland had been treated. They should take the matter into consideration in a national point of view. England, Ireland, and Scotland united could maintain the prominent position which they had ever held in Europe; but a discontented population in Ireland would prove the weak point in the armour of England. Remove all just causes of discontents and they need not fear for the future for the peace or prosperity of Ireland, which was amply endowed by nature with every element to make a great country. If they did this they might despise these mischievous and pestilent efforts which otherwise would be continued to be made to endanger the peace, and would, and were, preventing its progress and improvement. He rejoiced, as did not only all those in that House, but all who were entitled to respect and consideration of every class and creed in Ireland, at the prompt and easy suppression of that miserable attempt at rebellion which had taken place in the south-west of Ireland. Those engaged in it deserved to be treated more as lunatics than as criminals; but while he trusted justice might be tempered with mercy, as he had no doubt it would, to the wretched dupes of those dangerous and designing men who had invaded the country, it was to be hoped that those who had so criminally led and misled these credulous people into outrages which could only have such unhappy consequences to themselves, and inflict such ruin on their country, might be taught a lesson which would preserve us from a repetition of these attempts. He would conclude by warning them that—however easy it might be to deal with these dangers now—until they removed every just cause of discontent in Ireland there was danger in the future; and that on another time, if by any chance, which God forbid should occur, there might be a war between this country and America, that discontent in Ireland would be the danger of their common country, which, therefore, if on no higher influence than on the score of justice, would be sufficient enough to induce every patriotic citizen to endeavour promptly to remove.

SIR PATRICK O'BRIEN thought this was an occasion to call attention to the way in which the Roman Catholic Bishops and clergy of Ireland had exerted their influence for the preservation of order. To their interference might be attributed the little damage that had occurred through means of the Fenian organization. Bishop Moriarty had stood forward in his cathedral, in the centre of the late outbreak, clothed in his ecclesiastical vestments, and acting in the spirit of Christian fearlessness had denounced the insurrection. In like manner the Rev. Father Maginn had warned his flock against joining the insurgents. When they came to the discussion of questions affecting the welfare of the Irish people, the House should recollect the time when the efforts of the Roman Catholic Bishops and clergy were exerted for the suppression of outrage in that country. To the Catholic clergy it was due that this insurrection had not spread or taken deeper root in the country.

Motion *agreed to.*

Bill to further continue the Act of the twenty-ninth year of the reign of Her present Majesty, chapter one, intituled "An Act to empower the Lord Lieutenant or other Chief Governor or Governors of Ireland to apprehend and detain for a limited time such persons as he or they shall suspect of conspiring against Her Majesty's person and Government, *ordered* to be brought in by Lord NAAS and Mr. SOLICITOR GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 35.]

RAILWAYS (GUARDS' AND PASSENGERS' COMMUNICATION) BILL.

On Motion of Mr. HENRY B. SHERIDAN, Bill to compel Railway Companies to provide an efficient means of communication between the Guards and Passengers of Railway Trains, *ordered* to be brought in by Mr. HENRY B. SHERIDAN and Sir PATRICK O'BRIEN.

Bill *presented,* and read the first time. [Bill 39.]

MARRIAGES (ODESSA) BILL.

On Motion of Mr. Secretary WALPOLE, Bill for removing doubts as to the validity of certain Marriages between British Subjects at Odessa, *ordered* to be brought in by Mr. Secretary WALPOLE and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 40.]

CRIMINAL LUNATICS BILL.

On Motion of Mr. Secretary WALPOLE, Bill to amend the Law relating to Criminal Lunatics, *ordered* to be brought in by Mr. Secretary WALPOLE and Mr. ATTORNEY GENERAL.

Bill *presented,* and read the first time. [Bill 41.]

SUGAR DUTIES BILL.

Bill "to amend the Law relating to the Duties and Drawbacks on Sugar," *presented,* and read the first time. [Bill 37.]

DUTY ON DOGS BILL.

Bill "to repeal the Duties of Assessed Taxes on Dogs, and to impose in lieu thereof a Duty of Excise," *presented,* and read the first time. [Bill 36.]

House adjourned at a quarter before Five o'clock.

Sir Patrick O'Brien

HOUSE OF LORDS,

Thursday, February 21, 1867.

MINUTES.]—SELECT COMMITTEE—On Private Bills *appointed;* on Mr. France's Pamphlet *appointed.*

PUBLIC BILLS—*Second Reading*—Masters and Operatives [H.L.] * (3); Lis Pendens [H.L.] * (6); Sale of Land by Auction * [H.L.] (10).

MASTERS AND OPERATIVES BILL.

(*The Lord St. Leonards.*)

(NO. 3.) SECOND READING.

Order of the Day for the Second Reading read.

LORD ST. LEONARDS, having first presented Petitions signed by masters in the building trade, and every description of labour in that trade, from Birmingham, Manchester, Stockport, Blackburn, Coventry, and other large manufacturing towns, said, that the main object of the measure was to establish Councils of Conciliation to settle disputes between masters and their men. The Bill had been very carefully framed and considered, and was approved of by delegates from the various trades that would be affected by it, and he ventured to believe that its passing would be attended with good results. In any case, the measure could do no harm, because it was altogether of a voluntary nature, and no courts could be established under its authority without the consent of the Crown. It was supposed by some that its leading features had been borrowed from the French system, but the powers of the Crown in England and in France were very different. In France the Emperor has the power to appoint and to remove the President and Vice President. No such power would be submitted to or sought for in this country. But the *Cours de Conciliation* was borrowed from the French Code, and had been found to work admirably. Anything which legislation could do to increase and confirm the co-operation and friendly relations of labour and capital ought to be attempted; and he believed there now existed as strong a feeling on the part of the operatives for some conciliatory measure of this kind as had been avowed on the part of the masters. The details of the measure being already familiar to their Lordships, he would do no more than move the second reading.

Moved, "That the Bill be now read 2^a."—(*Lord St. Leonards.*)

THE DUKE OF ARGYLL said, the Bill, the object of which was admirable, proposed to extend the provisions of some thirty previous Acts to the enforcement of awards made by these new Councils. He wished to know how far the powers of enforcement were extended by this measure?

LORD CRANWORTH desired to call their Lordships' attention to the terms of a provision enabling the Councils, with the consent of both parties, to fix a rate of wages that should be binding on employers and employed for a period not exceeding twelve months from the date of the order. If the parties were not bound to remain with each other for twelve months, the order would be nugatory; and, if they were, such a regulation might be attended with injurious consequences.

LORD ST. LEONARDS said, the Bill did not affect the provisions of the existing law on the subject referred to by the noble Duke (the Duke of Argyll). As regarded the rate of wages, it was a question which he himself approached with considerable hesitation. The Bill originally contained no such power. The men and also the masters wished future wages to be within the power of the Council, but he objected to it, as he did not think that if, by the action of supply and demand or other circumstances, it should appear that the rate fixed was below what the market would have supplied, the vast body of men spread throughout the country would submit to the award, and if litigation were resorted to, the benefits of the Act would no longer operate. But upon further reflection, which he had promised the delegates to him from 100,000 operatives, he thought such a power limited to a year might safely be given, and therefore he added it to the Bill.

THE LORD CHANCELLOR proposed that the title of the Bill should be altered to "Masters and Workmen" instead of "Masters and Operatives," not that anything material depended on the title, but simply because "workmen" was a good old English word, more accurate, and was used throughout the Bill itself.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

LIS PENDENS BILL—(No. 6.)

(*The Lord St. Leonards.*)

SECOND READING.

Order of the Day for the Second Reading read.

LORD ST. LEONARDS *moved* the second reading of this Bill, the object of which is to amend the Companies Act of 1862, and also an Act passed to simplify and amend the practice as to the entry of satisfaction on Crown debts and on judgments. The noble and learned Lord said, that the Companies Act contained a clause that petitions for winding up a limited company should be deemed a *lis pendens* within the Act, requiring every *lis pendens* intended to bind a purchaser to be registered. Now this was a simple mistake. To constitute a *lis pendens,* the litigation must be for the particular estate, and the proceeding under the Companies Act bound no portion of a shareholder's estates. The Registry Act did not create a *lis pendens,* but only required it to be registered in order to bind a purchaser. After the passing of the Companies Act, a *lis pendens* was registered against the company. This, of course, was inoperative. It bound no man's estate; and consequently such a registry was treated by the profession as of no validity. It then became usual to enter a *lis pendens* against every individual shareholder, whose estates it was desired to bind. This led to serious inconvenience and complaint, as it prevented the shareholders from dealing with their estates, although the registry was considered to be inoperative. His attention having been drawn to this difficulty, he had a draft of his Bill repealing the obnoxious clause on his table, when an application was made to one of our Courts of Equity by a shareholder who had had a *lis pendens* entered up against him under the Companies Act to vacate the registry, but this was refused; from this order an appeal was made to the Lords Justices, and they decided, and in his opinion rightly decided, that the registry was inoperative, and reversed the decision of the Court below. Still, the clause which has created so much difficulty and led to such adverse judgments remains in force, and therefore it is proposed by this Bill to repeal it.

Moved, "That the Bill be now read 2^a."—(*Lord St. Leonards.*)

THE LORD CHANCELLOR thought that the first clause in the Bill, repealing the 114th section of 25 & 26 *Vict.*

c. 89, would be unnecessary. In the Companies Act of 1848 there was a clause which enacted that the registration of the winding-up petition of a company should constitute a *lis pendens*, and the creditors of companies had most absurdly, as it appeared to him, been in the habit of registering the winding-up petition against the shareholders, as if the petition constituted a *lis pendens*, as to the separate property of each of them. That question had been set at rest by the judgment of the Lords Justices in a recent case, in which an application was made by the official liquidator to register a winding-up petition against an individual shareholder. The Master of the Rolls, to whom the application was made, declined to interfere, but did not express any opinion at all on the effect of the registration. There was an appeal to the Lords Justices, who stated in the clearest and most distinct manner possible that it was absurd to imagine that the Legislature intended to allow registration of *lis pendens* against the estate of a shareholder so as to make persons dealing with him liable to all the penalties attending the dealing with property in litigation. With regard to the clause which made a registration of the petition for winding-up a *lis pendens* against the company, such a clause appeared to him to be of little value, because it did not seem likely that a person would deal with a bankrupt company whose books and other effects were all in the hands of an official liquidator; but, knowing the decision of the Lords Justices, it appeared to him to be unnecessary to repeal a clause which had been in existence since 1848.

Lord ROMILLY desired to remind the noble and learned Lord on the Woolsack that a *lis pendens* was never registered against a shareholder until an order of the Court had been made, which had the effect of a judgment for the payment of money; but the Lords Justices, though they would not allow a *lis pendens* to operate against the property of an individual shareholder, expressed an opinion that there might be some cases in which it might be necessary to do so. He thought that the second clause of the Bill would, in some respects, be beneficial in its operation.

Lord ST. LEONARDS had already stated the original order by his noble and learned Friend opposite (Lord Romilly) and the reversal of it by the Lords Justices, but still the difference of opinion remains, and an appeal will lie to this House. The repeal of the clause will set everything right. His noble Friend opposite thinks it should be repealed, and the Lords Justices agree that the Act should be altered. He had been in communication with all these learned Judges. The remedy is the repeal of the clause.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

SALE OF LAND BY AUCTION BILL.

(The Lord St. Leonards.)

(NO. 10.) SECOND READING.

Order of the Day for the Second Reading read.

Lord ST. LEONARDS said, that he had observed with satisfaction that since the Act passed this House last year, the auctioneers had in many instances announced in their conditions that a bidding was or biddings were reserved; and he himself was aware in several instances that this had led to no inconvenience. Now this was of the essence of the Bill.

Moved, "That the Bill be now read 2ª."—(*Lord St. Leonards.*)

Lord ROMILLY regretted that his noble and learned Friend had not, in the present Bill, as he suggested last year, extended the measure to all sales by auction. He had been informed that the sales of tea alone in the City of London amounted to a much larger sum than resulted from all the sales of land which took place in the metropolis. There were many evils arising in the sales of personal property, of which he would give their Lordships an instance. He had been informed that the sale of some private property of a nobleman, a Member of their Lordships' House, realized £120, and the same property was two hours afterwards sold for £1,200 by auction among the dealers. That was an abuse which ought to be put an end to; and there were other evils, such as the supply of liquor, which also ought no longer to be permitted. He regretted that the Bill dealt with the subject of sales by auction in a piecemeal manner; he should not, however, offer any opposition.

Lord ST. LEONARDS begged to assure his noble Friend that he had bestowed great attention upon the subject of what was termed knockouts, and the result was a conviction that no legislation was necessary. In regard to sales by auction, generally of chattels, sellers had only to appoint respectable auctioneers with firmness enough to put a stop to any improper conduct in the auction-room by brokers or others. To stop one abuse it was not seldom that one of the conditions of sale gave a power to the auctioneer to refuse to take the bidding of any bidder, and any attempt to intimidate or to damage the sale by false statements in the room an energetic auctioneer can at once stop, and if need be have the offender turned out of the room. Still you will find that sales of common articles, according to the statements of auctioneers, would hardly fetch anything like their value without the biddings of brokers. In regard to articles of value to which his noble and learned Friend had referred, they required no legislation. Take, for example, a sale of articles of value, which in the ordinary course of sales would fetch a fair price, but there are one or two articles of great value for which few bidders would be found, and which by a combination of dealers might be knocked down at an almost nominal price, the owner has only to insert a condition that upon a few lots, or naming the lots, a bidding will be reserved, and the combination can do no mischief.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Monday* next.

REFORM—BOROUGH QUALIFICATION.

RESOLUTION.

Lord CAMPBELL, in rising to move the Resolution—

> "That in the Opinion of this House, in any further Scheme to amend the Reform Act of 1832 and increase the Body of Electors, it is not desirable or necessary that all Boroughs should return Members by the same Qualification,"

said, that a few words as to the moment at which we have now arrived would, he thought, suffice to explain the course he had pursued and recommend it to the leniency as well as judgment of their Lordships. A train of circumstances, too long to be recounted and too recent to be unknown, had forced upon the country the question whether power should be transferred from the middle class to the numerical majority. The question would be gravely influenced if not finally determined by the Bill the present Government initiated. After the 25th of February, so far as we can estimate the future, their line of action would be settled; and not only they, but the country would have entered on a path they could not afterwards relinquish. In that case deliberation would be over. The present time was ours, and it would rapidly escape us. If it should turn out that our policy is not as yet to lodge the power of the State in the numerical majority, the Resolution he proposed would point out to them the single mode by which, as things stood, they could avoid that consummation. At least it was on that ground and in that sense he had proposed it. No doubt it might be said that a longer notice was desirable. But noble Lords will see at once why it was not given. The noble Earl the late Prime Minister was coming down on Monday to move for certain information on the franchise. A debate upon the question was anticipated, and up to that time no one else would feel at liberty to call attention to any portion of the subject. The notice disappeared on the very day when noble Lords had come there to discuss it. It was scarcely possible that any other should be given until Tuesday. Thursday was the only vacant day before the 25th of February, after which the line of reasoning he had to offer might be in vain submitted to their Lordships or the country. He felt the greater obligation to convey in language, however inexact, what, after months of toil, occurred to him upon the subject; because a Commission of Inquiry on the franchise which the noble Marquess near him (the Marquess of Clanricarde) and himself had urged upon the Government at the end of last Session might, perhaps, have been much more effectually advocated. It was now so clear that one great source of complication would arise from the want of an authoritative document to enlighten the world at large on certain new conditions of the franchise, that he could not quite defend the course which the noble Marquess and he together had adopted in forbearing to bring on a regular debate on that proposal. The want of a Commission, he feared, would render it impossible to resort to one method of adding to the body of electors and yet averting the supremacy of numbers. It was more essential, therefore, to recommend another to their Lordships if the supremacy of numbers was not the object of our policy. The question, whether it is or not, Governments have usually evaded; but without some reply to it, we cannot advance a step in representative Reform or give any kind of counsel on the subject. No means can be adopted or proposed until the end has been determined. But on this great preliminary issue the verdict of the country does something to facilitate an answer. In 1848, when Europe was submerged under the wave of revolution, the Democratic party forced the question before Parliament. It agitated as it occupied society, and for a time, perhaps, there was a balance of opinion. But when the moment for decision came, in June, 1848, Parliament and the public ranged under the banner of the noble Earl, at that time Lord John Russell, and resolved that the proposals of Mr. Hume, by which numbers, or the largest class, were to be supreme over elections, should meet an unequivocal resistance. In 1849 the same battle opened, the same conclusion was arrived at. In 1850 the decision was renewed, and it cannot be said, as far as the country goes, to have been subsequently shaken. No General Election has disturbed it. The Ministerial engagement of February 20, 1851, cannot be said to have altered the position of the country. The series of Bills, which since that epoch have been withdrawn, repudiated, or defeated, can hardly be described as a reversal of the judgment on the broad question Mr. Hume so frequently submitted to the Legislature. Up to this moment the Empire seems to have pronounced that the supremacy of numbers is not the object of our policy. The question, whether it ought to become so, must open vast considerations unless one seemed at present to determine it. If it were not for that one consideration many feelings would incline me to concur with those who are demanding the change in the seat of power to which I have referred. The social welfare of the largest class appears to militate against it. The social welfare of that class must, in a great degree, depend upon the rate of wages. It is a long established truth that the rate of wages is determined by that relative amount of population, and of capital, of which the class receiving wages are themselves the arbiters. The State can do but little to promote the economic virtues which go to influence the labour market, as the effect of schools is rapidly obliterated. It has one other means at its disposal. The franchise may be so adjusted as to reward the industry and stimulate the prudence of the working man by making civil rights the goal of his exertion. But this process is impossible when it requires no exertion upon his part to reach the body of electors, and where the franchise descends to him instead of his being drawn upwards to the limit. The political supremacy and social welfare of the working class appear irreconcilable. If the greatest happiness of the greatest number is pursued, it is not by giving them, in all boroughs, an electoral majority that we can ever hope for its attainment. On this ground alone, which it appears impossible to strengthen, however easy to support, the State could hardly feel entitled, unless an overpowering necessity was seen, to transfer the ruling power to the numerical majority. But if that transfer could be justified by some new considerations not yet established or explained, at least, what I would now suggest may be conceded by all parties. It is that such a mode of government ought not to be embraced without a resolution to embrace it, and that we ought not to reach a new and pregnant form of national existence without intending to arrive at it. When a noble Earl (the Earl of Clarendon), whom I now see in his place, told your Lordships years ago that we were drifting into war, his language must have been full of meaning, or it would not have been so frequently referred to as it has been. What I understand the noble Earl to have implied is that the vessel of the State, with no effective pilot at the helm, at the mercy of the winds, the waves, and currents it encountered, by starts and bounds was moving onwards to a point to which volition and design had never previously impelled it. Since 1851, we have observed in the action of successive Governments the same kind of movement towards the rule of the numerical majority, although corrected by the sense, and baffled by the fortune of the Empire. It is now time that a condition so full of uncertainty, of danger and of weakness, should exhaust itself. It is time that, if we cannot resolve upon a transfer in the seat of power, we should resolve against the method which is certain to precipitate it.

My Lords, that task appears to be a simple one; because one method only can precipitate the end I have referred to. No form of voting can precipitate it, since forms of voting do not change the body of electors. No measure on the county franchise can precipitate it, since the counties do not send the Parliamentary majority. The only scheme by which you can transfer power from the middle class to the numerical majority is the direct downward vertical extension of the £10 suffrage in all boroughs indiscriminately, without security or balance. By this method only can you reach a system which consigns the greater number of elections, and thus the greater number of elected, to the largest class in the community. But, on the other hand, no doubt the method is infallible. An intermediate basis of £5, £6, or £7 qualification can never have stability. Men who do not see this should hardly be allowed to touch the lowest wheel of our political machinery. The Democratic party have repeatedly declared in Parliament and out of it that household suffrage, in the sense in which Mr. Hume explained it, is their object. Their present Leader has renewed that declaration. They stand pledged by a series of conspicuous and now historical proceedings, which had their origin in 1848, to agitate in favour of it. The intermediate suffrage would enhance their power, and would not take away their motive to demand it. The best authorities—I mean such persons as Sismondi and De Tocqueville—have agreed that the lower franchise is less easy to defend against ulterior encroachment than the higher one. The line of reasoning which guides them I do not now repeat, because last Session I endeavoured to submit it to your Lordships. Causes which are general and abstract would therefore blend themselves with causes which are personal and local; the law which governs Democratic movement in the world, the facts which bind the Democratic party in our country, would unite to hurry on your intermediate limit to the household suffrage which it points to. Household suffrage, if we mean by it a law that all rated houses should give votes to their occupiers, is shown by the statistics the late Government presented to involve an unmeasured transfer of power from the electors to the non-electors in nearly all the boroughs of the kingdom. That I might not rely too much on the impressions derived from the blue book, I have recently confirmed them by the best statistical inquirers. Such must be the issue of direct and vertical extension in all boroughs, uniformly given, without any kind of compensation to protect the less extensive class against the larger one. And the question I shall now venture to submit to your Lordships is—Are we committed by some irrevocable circumstances to a policy so weak, so fatal, and disastrous, if you do not wish the State to be controlled by the numerical majority; so just, so deep, and so unerring, if that result is one the Empire pursues?

My Lords, in consequence of that policy having been frequently attempted, the impulse of the House would be, perhaps, to say that although it cannot be defended it cannot be escaped. To probe this vital question some reference to the past is unavoidable, and will therefore be, I trust, forgiven by your Lordships. These difficulties all arose in the Parliament which first met in November 1847, and sat till 1852. In that Parliament there was not a vote of any kind to sustain, to indicate, or to encourage a simple and direct extension of the £10 suffrage in all boroughs; and the result to which that system, as I have shown, leads, was year after year repelled by overpowering majorities. In the whole Parliament there were but two divisions in favour of any change in the Reform Act; a majority in favour of the ballot in 1848, a majority to read the first time a Bill on the extension of the county franchise in 1851. Both of these majorities were known to be accidents; both of them were reversed; both of them were inoperative as regards the points they favoured; but they contain the sum total of the lessons on Reform that Parliament administered, and they did not in any way suggest the policy in question. It first appeared in the Bill of 1852, and ten days afterwards the Parliament withdrew its confidence from those who had presented it. The Parliament which sat from 1852 to 1857 in no way departed from the judgment of its predecessor. The policy was urged again in 1854; and it would be almost ironical to say it met with no decided sanction or conspicuous encouragement, the Bill having been set aside by general remonstrance from all the parties in the State, and all the journals which are thought to influence opinion. No vote for any change in the Reform Act ever happened in that Parliament. The Parliament, which sat from 1857 to 1859, no doubt passed a Resolution on the second reading of the Bill, introduced by the noble Earl over the way and Mr. Disraeli, to the effect that the borough franchise ought to be extended further than that Bill proposed. But it was not pointed out in what mode it ought to be extended, or that in all boroughs the extension should be uniform. The Resolution was ambiguous; and we all know the real issue on which the Parliament pronounced was whether the Bill should be accepted or rejected. The Parliament which sat from 1859 to 1865 had very soon—in 1860—the opportunity to baffle and repel the policy I have referred to. The Bill of 1860, founded on it, was disposed of by a long series of Liberal attacks, and by the silence of Lord Palmerston. In 1865 the same judgment was pronounced by the same Parliament. In the Parliament which now exists, when the late proposal for a £7 limit in all boroughs was on the verge of being discussed, the project was swept away upon an issue raised by a near relative of the noble Marquess near me (the Marquess of Clanricarde). Up to this very moment the country stands unwedded to that policy. In 1852 it came from the Executive which it destroyed. Its importunity, indeed, has never been exhausted. It has marked and vitiated nearly every subsequent proposal. The fatal track has been adhered to. The wheels have never left the rut originally chosen. Reform has floundered where it fell. From the Bill of 1852 it passed, with variations of amount, to that of 1854, to that of 1860, to that of 1866. In the same way, my Lords, we hear from learned men that fabulous mistakes in history have been sometimes transmitted from the Middle Ages to our own, as each work became the stagnant copy of its predecessor. In spite of all its pertinacity the mistake in this transaction has not been endorsed by Parliament, or by the body of the Liberals. However lured by eloquence, however goaded by authority, however overawed by partizanship, of which we know the fascination and the terror, an instinct yet more powerful has guarded them against it. On every occasion they have seen further than the leaders who impelled them, and resolved to stand still before the danger in the path.

My Lords, by the indulgence of the House, three propositions may now, I trust, appear sufficiently established—That we are not as yet prepared for measures, after which the supremacy of numbers over Parliament must be considered unavoidable; that indiscriminate and vertical extension of the £10 limit in all boroughs is the single, clear, and open way to that result; and that on that way we have not entered yet, and are not forced to enter. Very little further is required to support the Resolution I shall have the honour of submitting to your Lordships. And nothing shall come from me which does not bear directly and essentially upon it.

By their Addresses to the Crown both Houses have declared a readiness to consider legislation on Reform. A necessity for legislation on the subject is acknowledged. In 1859 it was proposed to increase the number of electors by a large variety of methods which involved nowhere any change in the £10 qualification. It was said that 500,000 voters might be so created. Justly or unjustly an incredulity exists upon that subject. Such a mode of acting would scarcely meet the exigency of the moment. We must in some way disturb the present limit in the boroughs. There are two practicable methods by which you may approach it beyond the method I have dwelt upon so long, and which the country has so frequently repudiated. You may extend it in all boroughs with plurality of voting to guard the old electors from a virtual disfranchisement, or you may extend it in some boroughs to a low degree, retaining it substantially inviolate in others.

My Lords, it is far from my intention to inveigh against plurality of voting. Great injustice has been done to it. It has been confounded with the system by which every elector would be permitted to heap all his votes upon one candidate so as to give a representative to the minority, and also with the system by which votes would be apportioned according to a sliding scale to income. Plurality of voting, I am bound to admit, involves no principle more startling than that, above a given limit, men shall have a greater voting power than beneath it. After some organic change, by which, in a single borough, 4,000 new electors had been added to 2,000 old ones, plurality which conferred two votes on all the old electors above the £10 limit would give them equal power with the new ones underneath it who must otherwise absorb, and not divide, the power of the borough. In point of fact, the principle exists already in our system — in a form more violent than that which I have just imagined. The principle is that of simple inequality, and it is now enforced by making householders above £10 electors—beneath that limit, non-electors in a borough. It would then be enforced by giving householders above a determined point a certain voting power, and householders beneath that point a lesser voting power. And in degree, the present inequality, so far from being extended, would be mitigated. The inequality of a positive and of a negative is greater than the inequality of a whole and of a fraction. The inequality of an elector and a non-elector is greater than the inequality of an elector with two votes in a class numerically weak, and an elector with one vote in a class numerically powerful.

But, my Lords, although I have endeavoured to uphold the system of plurality against the obloquy and misconception which surround it, I cannot be blind to the fact that they are nearly fatal to its prospect. At this moment it is clear, if it was not before, that a Commission should have been appointed in the autumn to familiarize the public with a method which might have put an end to many dangers which exist. It would be far too sanguine now to count upon that method. No one understands, and every one in consequence denounces it. We are thus forced on the alternative the Resolution points to. It is, that in certain boroughs you should have a suffrage which avowedly and openly —not by hidden germ and shuffling descent—gives the working classes an ascendancy in voting. The principle is not in want of explanation. It has been known for centuries amongst us. In Preston, up to 1832, we learn from the well-known work of Oldfield that the right of voting fell to all the body of inhabitants. 100 Members so returned would give the working classes advocates and organs, although it would not give them a majority in Parliament. By this method you might add with ease 1,000,000 of electors to the register, and yet not advance a step to the control of numbers over Government. It would not be an innovation either in our system under the Reform Act. Diversity of franchise is still its strong characteristic. In Universities men vote on one qualification; in counties on another; in boroughs on a third; and it would be ridiculous to hold that, by establishing a fourth in cities, which form a class alone, a novel principle would be insinuated.

My Lords, it would be too fatiguing to the House, and too exhausting to myself, to dwell on the collateral advantages to be obtained from such a measure. Able writers have explained them; but it is not swayed by thoughts like theirs that I have ventured to address you. We are in a grave political dilemma. The line of indiscriminate descent in all boroughs is exploded because we are not ready to confront the vital change which it eventually involves. The policy of 1859 (or lateral Reform) is insufficient for the moment. Plurality of voting is discredited. No course remains but to deliver boroughs from the iron uniformity which began in 1832, and which makes a large addition to the number of electors either fatal or impossible. If I am asked to name the practical advantage which the Resolution, if adopted, would secure, I do not hesitate to answer that without it the hope of such a salutary line would be materially lessened. The Resolution, if adopted by your Lordships, must be canvassed and explored in every society and every journal of the kingdom. It could not be evaded or forgotten by the mind of the community, and planted there might find its way into the statute book. Publicity is all you want to give effect to truth, and this—beyond the reach of individuals—your Lordships have the power of conferring. At the same time, if it would add to the difficulties of the Government in the present situation of affairs, I should not even wish it to be carried. It is well known that the Opposition are, in some degree, divided into sections, of which one is anxious to delay a crisis, the other ready to precipitate it. On public grounds belonging to the first, and day by day rejoicing in the strength which it acquires, I could not lend myself to any course by which Her Majesty's Advisers would be weakened in their attempt to grapple with the difficulties they have not created but inherited. Until, however, I have reason to suppose that it would add to their embarrassment, believing it would guide their course towards the safety of the Empire, I move the Resolution—

That in the Opinion of this House, in any further Scheme to amend the Reform Act of 1832 and increase the Body of Electors, it is not desirable or necessary that all Boroughs should return Members by the same Qualification.—(*Lord Campbell.*)

Earl GREY: My Lords, I cannot forbear from entreating my noble Friend not to ask the House to come to a vote upon the Resolution he has proposed. I am far from denying that the question it brings before us is one which, at a proper time, will be well deserving of our serious consideration; but it is only one of many questions which must arise with reference to Reform, and which will have to be considered when the whole subject is regularly brought before your Lordships, and, I submit, it would be extremely inconvenient on this occasion to select one only of these questions for the purpose of expressing an opinion upon it. This is what we are asked to do by the Motion before us, and I would therefore strongly urge upon my noble Friend not to press this Resolution upon the House. I cannot, however, offer this advice without at the same time expressing a hope that the great question of Reform will be brought before your Lordships at such a period of the Session and in such a manner as to give this House a proper opportunity of considering it. If the Bill is to be proceeded with—as I understand it is—immediately upon the adoption of the Resolutions which have been submitted to the other House of Parliament, and is only, after it has been considered in all its details, sent up to this House for your Lordships' concurrence, then I would submit that we should not have an opportunity of considering to any useful purpose the detailed provisions of the measure. I would therefore suggest a different course. I would beg to remind your Lordships that when, in 1833, the great and difficult question of the abolition of slavery was brought before Parliament by the noble Earl now at the head of the Government, who was at that time Secretary for the Colonies, that measure was submitted to the House of Commons in the form of Resolutions; those Resolutions became the heads of the intended Bill; they were discussed at great length in the other House of Parliament, and after being materially altered, were brought up to this House for your Lordships' concurrence. Your Lordships then discussed the Resolutions to which you agreed; they were returned to the other House of Parliament; and a Bill founded on them was brought in which ultimately became law. That course was found to be extremely convenient upon that occasion; and I would venture to express a hope that Her Majesty's Government will follow the precedent then set, and adopt a similar course with the Reform Resolutions. It seems to me that great advantage would attend the adoption of such a course. By adopting it after the Resolutions had been agreed to in the House of Commons, and before a Bill was introduced, your Lordships would have an opportunity of fully considering the principles upon which that Bill is to be framed before it is submitted to Parliament, or its provisions finally decided upon. The Resolutions which we learn from the Votes of the other House are now before them will, I trust, be modified in the course of the discussion, and be sent to us by the House of Commons in a form so clear and specific as to form the proper ground-work for a Bill, which can hardly be said of them at the present moment. Your Lordships would thus have an opportunity of discussing the principles of the measure at a time when the expression of your views might influence the ultimate decision on the Bill. On the other hand, it is quite clear that if we only receive the Bill very late in the Session, after all its details have been discussed and finally determined upon in the other House of Parliament, it will be very difficult for us to introduce any modifications, or express any opinions which would be likely to have their due weight in the House of Commons. It appears to me that this is a subject which may be very usefully discussed in this House, before the detailed provisions of the measure are settled and embodied in a Bill; and I would beg to point out that your Lordships seem to me to possess greater advantages in some respects for the due consideration of this important question than the other House; because we cannot conceal from ourselves that there are portions of any measure of Reform which must very materially affect the interests of individual Members of the other House, and the mere fact that they do affect their interests may seriously influence the decision to which the House of Commons may come. For instance, in considering the principle upon which re-distribution of seats shall be settled, it is impossible that many Members of the House of Commons should not be aware that the decision at which the House may arrive on this question will seriously affect their individual prospects of being returned to the reformed House of Commons, and their votes on that question may not unnaturally be somewhat biassed by that consideration. Now, your Lordships would be entirely free from that bias. In considering this question your Lordships could deal with it with greater freedom and greater impartiality than it could be dealt with in some cases by Members of the House of Commons; and therefore the prospects of the adoption of a measure suited to the wants of the country would be materially improved by having the principles upon which it is to be framed discussed in this House before the Bill is finally adopted by the House of Commons. If the contrary course is adopted the measure may come so late before your Lordships that however desirable it may be to settle the question during the present

Session, it may be impossible for us to do so—because I hold that it is the bounden duty of this House not to pass a measure of such transcendent importance unless we can give it a deliberate examination, and that careful consideration which the subject undoubtedly requires. If it comes before us without any preliminary examination at the very end of the Session, it may be very difficult indeed for your Lordships to pass the Bill this year. But more than this—it appears to me that a preliminary examination of the principles of the Bill is calculated to diminish the danger of a difference of opinion between the two Houses of Parliament. It is quite possible that your Lordships may take a different view from the House of Commons on some points of the measure. If so, a preliminary discussion of the Resolutions would greatly tend to prevent a serious disagreement between the two Houses on such points of difference, and to make it easier to come to a common understanding, so that a satisfactory Bill might be carried in the present Session. A good many of your Lordships can, like myself, remember the great struggle for Reform in the years 1831 and 1832. It is therefore unnecessary for me to say anything in order to convince your Lordships of the very serious nature of the evils which arise from a disagreement between the two Houses of Parliament on a great constitutional question, and it certainly would be a great misfortune if such a disagreement were to take place on the subject of Reform. I believe that the danger of this would be much diminished, if not entirely avoided, by the adoption of the course I propose; and that it would tend to prevent any disagreement between your Lordships' House and the House of Commons if your Lordships were to have a proper opportunity of discussing this all-important question. On this ground I consider it to be of great importance that the Resolutions should be sent to us from the other House before a Bill is introduced. I have taken this opportunity of throwing out the suggestion; but, at the same time, I have no desire to press the noble Earl at the head of the Government for an immediate answer. All I want is that the noble Earl and the Government should consider seriously what I have now said, and unless they have strong reasons for adopting a different course, I hope such Members of Her Majesty's Government as sit in the other House will ask that House to communicate the Resolutions to which they may agree to your Lordships, and invite your Lordships to concur in them before a Bill is introduced. I will only add one word more. It seems to me that much of the advantage which is to be derived from the mode of proceeding by Resolution instead of by Bill would be lost if the Resolutions are not to come before the House before the Bill is framed; for if it is to be framed and discussed in the Commons before it comes before your Lordships, I am totally at a loss to see what useful purpose the Resolutions will answer, at least so far as your Lordships' House is concerned. On the other hand, if we can first discuss the Resolutions, I cannot but think that the probability of passing a sound measure of Reform will be greatly increased.

THE EARL OF DERBY: My Lords, it is not necessary for me, in the few words I have to say, to trespass long upon your Lordships' attention. It is very satisfactory to me, as it must be to the other Members of Her Majesty's Government, to see noble Lords in this House anticipating an early opportunity of discussing the provisions of the Reform Bill which is to be introduced into the other House of Parliament. It is also satisfactory to find that there is not that objection felt upon the part of the noble Earl opposite (Earl Grey) and other noble Lords to the mode of proceeding by preliminary Resolution, which has been so strongly expressed elsewhere. But, my Lords, the noble Baron who introduced this question must forgive me if I decline to enter into it and to follow him in the historical review of the steps which have been taken, and into an argument upon the principles of the proposed Bill. I must decline to discuss in any degree the character of the provisions of a Bill which is not yet submitted to the Legislature, or the basis of Resolutions which have not yet been discussed by the other House. My Lords, whatever advantages there may be in proceeding by Resolution, I do not think that any advantage could be derived from selecting a single portion of what may or may not be in the Bill, and passing an abstract Resolution upon the subject of that particular point. Moreover, my Lords, the noble Lord's Resolution, I must say, is one that does not appear to me very much to advance the solution of the question; because it is to the effect that it is not expedient in any future arrangement of the franchise that the suffrage in all boroughs should be based upon the same qualification. This does not at all help us forward. The noble Lord only advances the simple abstract proposition—he does not tell us on what principle he would introduce a variety in the suffrage, or on what ground we should be justified in giving the inhabitants of one town a precise qualification which was to be withheld from the inhabitants of another, nor does he tell us why he would withhold the right of voting from any one town. I perfectly agree with the noble Lord that a mistake was made in 1832 by the abolition of a number of various franchises which had existed previous to that time. Many of them had become objectionable on some grounds, but as they had grown up during a length of time, and in the course of a vast number of years, they had the advantage of introducing various qualifications in different places, and enabling different boroughs to be represented by Members who were returned by different classes of electors. But that is a very different thing from attempting, after you had adopted the dead level of a uniform franchise in all boroughs, to introduce into them various descriptions of franchise—which have no authority to recommend them, and for the adoption of which in one borough no reason applies which does not also apply in the case of another borough. However, my Lords, without discussing the provisions of a Bill which is not yet introduced, I may perhaps be permitted to say that I do not at all agree with the noble Lord in his description of the Bill which he says it is intended to introduce. He describes it as a measure for the transfer of political power from the middle classes to a numerical majority—by which I suppose he means the most numerous class of society. Now, I do not think that that can be taken as the meaning of the portion of Her Majesty's Speech from the Throne which spoke of the extension of the suffrage without unduly disturbing the balance of political power. The noble Lord tells me that there are only one or two modes of extending the suffrage, and one of those modes is lowering it; which he says would have the effect of completely transferring political power to the numerical majority. I am not going to enter into the question of plurality of voting, or any of the other questions which the noble Lord has thought fit to describe as belonging to the measure; all I wish to say is, that the character given to the Bill which the noble Lord imagines we are about to introduce is very different from the character of the paragraph in the Queen's Speech, and necessarily from that of any measure which it is intended, in accordance with that paragraph, to introduce and pass through Parliament. I trust that the noble Baron will see that it is impossible for me upon the present occasion to discuss any portion of the very large and difficult measure which is about to be submitted in its integrity to Parliament, and that your Lordships will see that no advantage can be gained by your Lordships adopting a Resolution upon a point which may or may not come on for consideration hereafter. With regard to the observations of the noble Earl (Earl Grey), to whom I always listen with that respect that they invariably deserve, the noble Earl was kind enough to say that he did not expect from me upon the present occasion any precise or positive answer to the question. The noble Earl very courteously sent me notice this morning that he intended to make the suggestion he has just made; but I have not yet had an opportunity of consulting other Members of the Cabinet upon the point, and I should be sorry to give any opinion upon it offhand. I am, however, quite of opinion that it is a question which deserves the serious consideration of the Government. I can assure him that my only object, or at all events my chief desire in dealing with this question is that the Bill should pass through the two Houses as rapidly as possible, and that as much time as possible should be given to your Lordships' House to discuss its principles. I shall be willing to adopt any course that will be most likely to expedite the passing of the measure, but my only doubt is whether the course suggested by the noble Earl might not lead to considerable delay. If the Resolutions, after passing the House of Commons, are to be submitted to your Lordships' House, and a full discussion is to take place upon them in order to ascertain how far we agree with the House of Commons upon the principle of those Resolutions, it appears to me that all that time the Bill will be hung up, and wholly withdrawn from the consideration of Parliament. I do not wish to express any precise opinion upon the suggestion made by the noble Earl at the present moment—it is one that deserves to be considered; but my object is to accelerate as much as possible the safe settlement of a most important question:—and as far as opinions have as yet been indicated, it has not met with any opposition of a character threatening to interfere with the consideration of the measure, and as far as the proceedings of the other House have hitherto gone we have no sign that any factious opposition will be resorted to. My Lords, it will be a most happy circumstance indeed if the two sides of the House, feeling the necessity for mutual agreement and confidence in reference to this question, meet in a spirit of calm and deliberate discussion, resolved to bring about an early and satisfactory settlement of this most important matter in which the happiness and prosperity of the country is concerned.

EARL RUSSELL: My Lords, this question is, I think, not only very important, but very difficult; and it will be but right in this and the other House of Parliament to allow the Government to use their own discretion in respect to the mode in which the question should be proceeded with. It is true, however, that there are objections to dealing with the question by Resolutions; though it must also be admitted that such a method of procedure has its advantages; and the same may be said of the suggestion of the noble Earl. The discussion by your Lordships of the Resolutions come to by the other House might lead to a complete canvassing of the main principles of the measure before it assumed the shape of a Bill; but, on the other hand, it would lead to considerable delay, and, for my part, I am quite willing that the noble Earl (the Earl of Derby) should consider the matter and take that course which to him seems most likely to bring about the result he aims at. With regard to the Motion before your Lordships, I must say the noble Earl made a very valid objection to it when he said it was vague and indefinite. I quite agree with him, and I think it is fatal to the Resolution; but I have seen certain other Resolutions to which I think the same objection will apply.

THE EARL OF DERBY: I said it was a negative Resolution, and did not advance the matter.

EARL RUSSELL: You said the noble Lord was ready to affirm something and did not know what that something was; that seems to me to be an elaboration of the description "indefinite." I trust, however, that next week, before the noble Earl has made up his mind on the suggestion of my noble Friend (Earl Grey), we shall know what is actually to be proposed to Parliament upon the subject; for at present, whether it be from my own want of sagacity or no, I am absolutely at a loss to know what the Resolutions on Reform, which are well known to the public, mean. I am indifferent as to the method of procedure, or the nature of the propositions; but I do want some definite propositions upon which this and the other House can say "Aye" or "No" with a clear understanding of the question decided on.

EARL GREY said, that what he desired was to have a preliminary discussion on the proposals of the Government in the same way as was done with the Slavery Abolition Bill; and he could not but think time would be saved if the Resolutions were discussed by their Lordships before they assumed the shape of a Bill. The preliminary discussion in 1833 enabled the Bill to pass with very little trouble.

LORD REDESDALE said, the form of procedure suggested by the noble Earl (Earl Grey) concerned the other House as a question of privilege. He doubted whether the House of Commons should be asked to forward their Resolutions to their Lordships for discussion before the Bill was framed. It should, in his opinion, be left to the other House to take its own course in the matter, and if the suggestion were made at all it should be made not by a Member of the Government but by a private Member.

EARL GREY said, he was surprised, considering that the question was one which affected the interests and the welfare of Englishmen of all classes, and one which might possibly change the governing authority of this great nation, to hear the noble and learned Lord who had just sat down give utterance to a doctrine which he certainly had thought would not have found expression in their Lordships' assembly.

EARL GRANVILLE said, that if the question were a Railway Bill, or other matter of detail, the question of time might be a consideration; but when the measure was one of the greatest importance to the country—in fact, one essential to the Constitution and likely to settle that Constitution for a great number of years—he was sure their Lordships would think it entitled to the fullest discussion, no matter at what period of the Session it might be introduced.

LORD REDESDALE desired, in answer to the noble Earl (Earl Grey), to remark that though the question was one, as the noble Earl had justly said, affecting the interests and welfare of the nation at large, it was one which also materially affected the constitution of the House of Commons. It would not, he thought, be right for their Lordships to initiate a measure by which the constitution of the other House would be affected, or to proceed to a discussion of such a measure without an express invitation from the assembly so greatly concerned.

Lord CAMPBELL said, that as the noble Earl the First Minister had expressed an unwillingness to adopt the Resolution, after his former statement he should not feel at liberty to press it. The noble Earl was perfectly mistaken in supposing that he (Lord Campbell) had in any way denounced his coming measure as a transfer of power to the numerical majority. He had not indulged in any speculation, much less description, with regard to it; but had only ventured to remark that, before any kind of practical suggestion on Reform could be given to the country, the question—Were we ready to accelerate that transfer—ought to be encountered. So far from complaining of the reserve the noble Earl had exercised, he wished that reserve had been extended further, and that the noble Earl had not in any manner compromised his freedom with regard to the principle the Resolution had embodied. A noble Earl (Earl Grey) had thought fit to disparage the Resolution as a negative one. It might be negative in the form of words which happened to be used, but it was quite affirmative in character. It affirmed the intelligible policy of introducing into boroughs more than one qualification. That policy alone could meet the problem of the day; and either House of Parliament, in his opinion, was justified in urging it upon Her Majesty's Advisers.

Motion (by Leave of the House) *withdrawn.*

MR. FRANCE'S PAMPHLET.

Select Committee on: The Lords following were named of the Committee; The Committee to meet *To-morrow,* at Half past Four o'Clock, and to appoint their own Chairman:—

Ld. Steward
E. Spencer
E. Cathcart
L. Somerhill
L. Taunton.

PRIVATE BILLS.

Standing Order Committee on *appointed:* The Lords following, together with the Chairman of Committees, were named of the Committee;—

Lord Redesdale

Ld. President
D. Somerset
M. Winchester
M. Bath
M. Ailesbury
E. Devon
E. Airlie
E. Hardwicke
E. Carnarvon
E. Belmore
E. Romney
E. Chichester
E. Powis
E. Verulam
E. Saint Germans
E. De Grey
E. Stradbroke
E. Amherst
E. Kimberley
V. Sydney
V. Eversley
L. Camoys
L. Saye and Sele
L. Colville of Culross
L. Ponsonby
L. Sondes
L. Foley
L. Dinevor
L. Sheffield
L. Silchester
L. De Tabley
L. Wynford
L. Portman
L. Stanley of Alderley
L. Aveland
L. Belper
L. Ebury
L. Churston
L. Egerton
L. Penrhyn.

House adjourned at a quarter before Eight o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 21, 1867.

MINUTES.]—New Member Sworn—Right hon. Michael Morris, *for* Galway Town.

Public Bills—*Resolutions in Committee*—London Coal and Wine Duties Continuance.

Ordered—Church Rates Regulation*; London Coal and Wine Duties Continuance*; Lyon King of Arms (Scotland).*

First Reading—Church Rates Regulation* [42]; London Coal and Wine Duties Continuance* [43]; Lyon King of Arms (Scotland)* [44].

Second Reading—Habeas Corpus Suspension (Ireland) Act Continuance [35]; Metropolitan Poor [9]; Shipping Local Dues* [5]; Land Tax Commissioners' Names* [31]; Sugar Duties* [37]; Duty on Dogs [36]; Railway Debenture Holders [20].

Referred to Select Committee—Railway Debenture Holders [20].

IRELAND—EDUCATION COMMISSIONERS.—QUESTION.

Mr. LANYON said, he rose to ask the Chief Secretary for Ireland, If the Commissioners of National Education (Ireland) lately adopted a Resolution to the effect that in future no member of the Board would be allowed to enter his reasons of protest against any Motion adopted by a majority of the Commissioners; and, if so, will he have any objection to produce a Copy of the Resolution in Question?

Lord NAAS said, the best answer he could give to the Question of the hon. Member was to give the contents of a letter he had received from the Secretary of the Education Board in Ireland, who said there was no resolution now on the minutes of the Board to the effect that in future no member should be allowed to enter his reasons of protest against any motion adopted by the majority, and that the practice was not to record on the minutes the reasons assigned by any member for assenting to or dissenting from any motion adopted by the majority.

SCOTCH BUSINESS.—QUESTION.

MR. BAXTER said, he would beg to ask the Secretary of State for the Home Department, What Scotch Bills are to be introduced by Government, and who is to take charge of the Scotch business in the House of Commons, the Lord Advocate not having a seat?

MR. WALPOLE: Sir, the Hypothec Amendment Bill and the Recovery of Debts in Sheriff Courts Bill have been already introduced and read a first time in the House of Lords. To-night the hon. Member for Peebleshire (Sir Graham Montgomery) will introduce a Bill for the Regulation of the Court and Office of the Lyon King at Arms. Several other Bills are in an advanced state of preparation—namely, the Writs Registration Bill, the Justiciary Court Bill, the Heritable Securities Succession Bill, and the Consolidation of Law of Nuisance, &c., in Scotland Bill. Inasmuch as the now Lord Advocate will probably be promoted to the Bench in a few days, I cannot state until I have consulted the new Lord Advocate, the present Solicitor General, as to the time at which they will be introduced.

MR. BAXTER: In the meantime, who is to be responsible for Scotch business?

MR. WALPOLE: I will answer that Question another day.

QUARANTINE IN THE WEST INDIES.

QUESTION.

CAPTAIN SPEIRS said, he wished to ask the Under Secretary of State for the Colonies, What are the regulations in the British West Indian possessions as to quarantine, stating its duration in each colony, whether performed in vessels or on shore; if in vessels, their average tonnage and whether provided at the expense of the Government, or of those subjected to quarantine; if on shore, whether in reach of medical attendance, and whether such attendance is provided at the expense of the Government, or of those undergoing quarantine?

MR. ADDERLEY, in reply, said, it was impossible to state what the regulations in the British West India possessions were as to quarantine. Looking through the Acts on the subject, he found that one of them made specific regulations, but they left it to each Governor to make such regulations as the circumstances of a case might call for. There was no specific regulation as to whether quarantine was performed on shore or in vessels. As to medical attendance, he believed it was charged to the masters of ships, but was not certain. If the hon. Gentleman had in view any particular case, and would move for a Return of the regulations affecting it, he would obtain them by sending to the colony for them.

WEST INDIES—MORTALITY IN THE HARBOUR OF ST. THOMAS.

QUESTION.

CAPTAIN SPEIRS said, he would now beg to ask the Under Secretary of State for the Colonies, If he will lay upon the table of the House, Returns of the Mortality on board all British Vessels in the Harbour of St. Thomas's from yellow fever, dysentery, and cholera from the 1st day of July till the 31st day of December, 1866, as well as on board the Intra Colonial Mail Steamers having intercourse with that port; whether the British Consul at St. Thomas's and the Mail Agents had reported the appalling number of deaths, and what steps the Government had taken in consequence?

MR. ADDERLEY, in reply, said, that St. Thomas was not an English colony, and his Department had no information whatever on the subject of this question. He had, however, made inquiries in other Departments whether there were any Returns made by the British Consul at St. Thomas. The Board of Trade had received a report of the number of deaths of seamen in that island and on the voyage home, but that was imperfect, as it did not include passengers. If the hon. and gallant Member thought fit to move for that Return there would be no objection to its production. As to the destination of vessels going to that harbour, over that harbour they had no control; but with reference to the mail packet ships, they called there under a contract which would shortly expire, and on its termination arrangements would if possible be made to prevent their calling at that unhealthy place.

IRELAND—WATERFORD ELECTION.

QUESTION.

The O'DONOGHUE said, he would beg to ask the Secretary of State for War, taking into consideration the alleged conduct of sixteen men of the 12th Lancers, who, on the polling day of the late Election for Waterford, according to the sworn testimony of the officer in command, broke away from his control, and without orders charged along the Quay of Dungarvan, the result being that two persons were killed, one of whom, while standing near the door of his house, was stabbed by one of the soldiers with a lance, as appears by the reported evidence of the coroner's jury—taking this into consideration, Whether he coincides in the opinion expressed by Colonel Sawyer in his Report to the Commander-in-Chief in Ireland, that the conduct of the troops at the late Waterford Election was admirable, and that if casualties among the people, however much to be regretted, did occur, they were unavoidable; and whether he considers it necessary there should be a searching investigation into the breach of military discipline resulting in so lamentable a catastrophe?

General PEEL: Sir, I can have no hesitation in saying that if the sixteen men of the 12th Lancers had broken away from the control of their commanding officer, and had charged along the quay of Dungarvan, I should not concur with the opinion that they behaved admirably, but I should consider that further inquiry was necessary. I think I stated before that Colonel Sawyer's official Report was borne out by those of all the officers who commanded detachments on that occasion; and I will read an extract from the official Report of the officer who commanded the detachment alluded to.

Mr. BAGWELL: What is the name of the officer?

General PEEL: The hon. Member has had the good taste not to insert the name in the Question, and I trust he will allow me to adhere to the course he has adopted. The officer says—

> "On crossing the bridge, just before reaching the Court House, the magistrate requested me to bring some men, and clear the corner of the bridge and a portion of the quay. I was in the act of doing so when a mob inside some iron railings hurled some tremendous big stones at the men, and the people on the quay did the same. At this period the conduct of the rioters, a great body of whom had rushed into the shipping, was so violent that my men were, in some cases, obliged, in self-defence, to offer resistance, and if any casualties have occurred among the mob they were (while much to be regretted) entirely unavoidable, considering the circumstances of the case and the active attack made directly upon the troops. I must add that a cross-fire of stones and other missiles was hurled at the troops as they advanced along the quays. It is the firm opinion of myself and the officers under my command that the proceedings of the rioters were the result of a preconcerted organization."

As to the evidence given at the inquest, application was made to the officer to know how he reconciled his Report with that evidence, and in his answer he says—

> "Permit me to observe that I adhere to the official Report. I regret extremely that at the inquest, owing to the cross-examination being so entirely different from what I had expected, the exceedingly puzzling way in which questions were put, and my being always stopped when I was about to explain, I became confused, my presence of mind failed me, and I gave irrelevant answers. For instance, when asked 'Did not your troops break away from your control?' I said, 'They did on that occasion,' whereas, 'on that occasion' I was not with them, having left them on the quay to perform the duty the magistrates had ordered through me."

The noble Lord commanding the troops in Ireland, Lord Strathnairn, is the best judge as to whether that answer is satisfactory, or if any further military inquiry is necessary. There is another view of the question which it was for the civil authorities to take into consideration.

The O'DONOGHUE said, he wished to say, in explanation, that he thought himself justified in putting the Question, because the officer in command of the 12th Lancers swore that the troops did break away from him on the occasion.

CATTLE PLAGUE.—QUESTION.

Mr. FORDYCE said, he wished to ask the Vice President of the Council, Whether, in awarding compensation to the owners of cattle killed before the passing of the Cattle Plague Act, it is the intention of Government to include in such compensation counties which defrayed such expenses at the time from local funds?

Mr. CORRY said, in reply, that some nights ago he stated, in answer to a Question put to him, that any compensation to be made by the Government would be reduced by the amount received by the owner out of public rates or from any other source. It followed, therefore, that in any county where compensation had been made to the full amount no further sum would be given, because the object was not to compensate for county, but for individual losses.

MR. FORDYCE: Would that apply if the funds were the result of public subscription?

MR. CORRY: It did not matter what source the compensation came from, the amount would be deducted from that given by the Government.

COURTS OF JUSTICE CONCENTRATION ACT.—QUESTION.

MR. BENTINCK said, he wished to ask the Secretary to the Treasury, Whether the certificate referred to in sec. 19 of "The Courts of Justice Concentration Act, 1865," has been received by the Commissioners of Her Majesty's Treasury, and what is the probable cost of the land and buildings respectively as stated in the certificate?

MR. HUNT said, in reply, that a certificate, dated July, 1865, had been sent to the Treasury. It did not state in terms that the amount which the Commissioners had certified would be sufficient, but it used these words—

> "We certify that the land to be taken will be sufficient for all the purposes of the Courts, and that the probable cost of the land and buildings will not exceed the amount of the funds provided by the Courts of Justice Buildings Act of 1865."

It would be in the recollection of the House that £1,500,000 was the amount provided by the Act.

ARMY—ARTILLERY—STUD SHOT.

QUESTION.

MR. HENRY BAILLIE said, he would beg to ask the Secretary of State for War, Whether he has any objection to lay upon the table of the House the Report of the Commanding Officer of Artillery at Halifax in respect to the Ordnance Select Committee's stud shot sent to that Colony; and also, whether he will lay upon the table the Report of the Ordnance Select Committee upon the same?

GENERAL PEEL: I have no objection whatever to lay the papers on the table.

SCOTLAND—EDUCATION.—QUESTION.

SIR EDWARD COLEBROOKE said, he wished to ask the Vice President of the Committee of Council on Education, Whether the Commission on Education in Scotland have given in their Report to the Government, and when it will be laid before this House?

MR. CORRY, in reply, said, the Report had not yet been received, nor had he any means of knowing when it was likely to be received. The Report would not be sent to the Committee of Council on Education, but to the Secretary of State for the Home Department.

GRANTS TO MISSIONARIES.

QUESTION.

MR. CANDLISH said, he wished to ask the Under Secretary of State for the Colonies, When a Return, ordered by the House of Commons on the 7th of June last,

> "Of the names of the several Missionaries who participate in the grant this Session of £2,013 made by Parliament to 'Missionaries of the Society for the Propagation of the Gospel,' the amount paid to each Missionary, where each is stationed, and how long each has received a grant from Parliament,"

will be laid upon the table of the House?

MR. ADDERLEY said, in reply, that he would lay the Returns on the table in a few days.

LANCASTER ELECTION COMMISSION REPORT.—QUESTION.

COLONEL WILSON PATTEN said, he would beg to ask the Secretary of State for the Home Department, When the Report of the Commission appointed to investigate the proceedings at the late Lancaster Election, which has been already circulated, will be presented to the House? He begged to add that extracts from the Report were at present having a very wide circulation, and were causing a good deal of uneasiness.

MR. WALPOLE: Sir, that Report, as well as the Reports on Reigate, Yarmouth, and Totnes Elections were directed to be laid on the table this very day, and I believe they were. When laid upon the table the officers of the House will see that they are printed and circulated among the Members, and the matter is out of my hands, as far as I have power over it. As to the circulation of the Lancaster Election Report, I have no notion how it was done. Certainly it has not been from any command given by the Home Office. It is very much to be regretted that portions of the Report should so have got into circulation.

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

(*Lord Naas, Mr. Solicitor General for Ireland.*)

[BILL 35.] SECOND READING.

Order for Second Reading read.

LORD NAAS: Mr. Speaker—When at the commencement of this Session Her Majesty, in her gracious Speech from the Throne, announced to Her Parliament that the Government would be enabled to dispense with the exceptional powers granted last year, no Member of the Government, nor, I believe, any one possessed of information with regard to the state of Ireland, had any expectation that it would be necessary at so early a period to ask Parliament to renew, even for a limited time, those exceptional powers. This might, in the opinion of some, indicate that the Government were not in possession of that information which they ought to have had. But, in truth, it is the peculiar nature of this movement, and the extraordinary characteristic of this conspiracy, that it is beyond anything difficult to obtain the information which is usual when such designs are intended. I do not believe that that circumstance evinces any particular skill or ability on the part of those engaged in these treasonable designs, but it arises simply from the fact that the leaders and principal organizers of the conspiracy are not in Ireland, but carry on their plots in a foreign land. As far as we can discover, all they have been lately doing is issuing orders to their sympathizers and agents in the United Kingdom. It is very well known to this House that the leaders have been anywhere but in Ireland. Sometimes they have been in this country, at other times in France, but the general seat of their designs has been the United States. Therefore, it has been impossible to obtain that amount of information with regard to their designs which would have been attainable had they carried on this conspiracy within the United Kingdom. Experience has shown that when active operations have been planned in this country, they speedily become known to the authorities, and there is no difficulty whatever in obtaining ample notice of the fact. If, Sir, it was with reluctance last year that I undertook the disagreeable duty of moving for the continuance of the Suspension of the Habeas Corpus Act, that reluctance has not been decreased by the administration of the powers conferred on the Government by that Act. No man who really appreciates the advantages of the free Constitution under which we live can without feelings of dislike, and even loathing, exercise those exceptional powers which circumstances have rendered necessary. No man can take part in a proceeding which consigns an individual to gaol, without the prospect of a speedy trial, without feeling that he is doing an act which nothing but the absolute and imperative necessity of the case could justify. That has been my feeling and the feeling of the Lord Lieutenant, and of my learned colleagues who have been engaged in the performance of this most disagreeable and irksome duty. I think it is due to the House and the Government that I should state as briefly as possible the course of events with regard to this conspiracy since I had the honour of addressing the House last year. When the present Government came into office there were, I think, about 330 prisoners detained under the authority of the Lord Lieutenant's warrant. On the 1st of September that number was reduced to 286, and so satisfied were we of the general appearances that presented themselves of the decline of the conspiracy and of the partial abandonment by the conspirators of their designs, that we were enabled by the 24th of November through the release of persons, many of whom were, in humble condition, to reduce the number in confinement to seventy-three. This fact, together with the small number of warrants issued, will show how indisposed we were to exercise the powers with which we were invested except in cases where absolute necessity existed for it. In September one warrant was issued, in October one, in November five. Sir, about the end of November a considerable amount of activity began to be displayed among those persons both in England and in Ireland who were known to be members of the Fenian Brotherhood. The usual stories were promulgated with wonderful industry throughout the country to the effect that an immediate rising was about to take place. These stories were found to be circulated everywhere; circulated not by Fenian agents only, but by persons whose ordinary business led them to travel about the country. It was evident that these stories came from one and the same source, for whether it was in Cork or in Donegal it was always precisely the same alarming rumour which was detailed. Moreover, discoveries of concealed arms were made, and in one case a seizure was made on board an English steamer arriving at Cork of as many as eighty rifles with their usual accompaniments, a considerable quantity of ammunition being also found, with a fictitious address. The usual symptoms of activity likewise presented themselves in collecting money, the well-known collecting card used by Fenian agents being found in almost all the northern towns in England and in many towns in Ireland. Raffles were also held, and all the wonted exertions for the collection of money were put into active operation. It was reported that those leaders of the conspiracy who had openly declared their intention of levying war in Ireland had left America, and this report considerably increased the alarm. The result was that a state of alarm, almost amounting to panic, prevailed from one end of the country to the other, and the most unfortunate consequences followed. Numbers of people, believing these stories, left their homes, there was a run upon many of the banks, and the Government were inundated with demands for protection from every part of Ireland. Nor was this alarm altogether unfounded, because the circumstances I have mentioned were the same as those which occurred in February, 1866, which justified the then Government in applying to Parliament for the suspension of the Habeas Corpus Act. Sir, the Government did not think it necessary to add any very extensive or serious precautions to those already existing. A slight increase was made in the military force in Ireland, but that increase only brought up the numbers of men actually serving in Ireland to the same number as they were in March and April of last year. A slight addition was made to the naval force stationed on the coast, and a few detachments were placed in different small towns where information had led us to believe that the greatest danger existed. The latter measure had the most salutary effect, for it has always been observed that whenever a small military force is placed in Ireland, alarm disappears, and the loyal and well-disposed among the population take heart and feel renewed confidence. A remarkable occurrence took place in a certain small town in the South of Ireland which it is not necessary to name. During the 24th, 25th, and 26th of November, as large a sum as £5,000, entirely in gold, was drawn out of the Bank. Early information reached the Government, which led us to believe that it was advisable to station a small force there, and as soon as an announcement was made that some soldiers were likely to arrive the next day, the run upon the bank ceased, and confidence was restored. About that time very important information came into the possession of the Government, which induced us to make some arrests in Dublin and in the country, and that step was attended with the best results. The number of arrests was not, however, very considerable. In December ninety-seven warrants issued, in January seventeen. During the present month there have been nine, making in all, with the seven issued in September, October, and November, 130 warrants issued by the present Government since they assumed office. The policy which the Government have endeavoured, and, I believe successfully, to carry out is this—we have taken as much care as we could to arrest those persons only who we had reason to believe were leaders, or were taking a prominent part in the conspiracy. We did not think it necessary to make the indiscriminate arrests which were thought necessary, and, perhaps, were necessary, in the earlier stages of the conspiracy. We endeavoured to select a few of the leaders, and consign them to prison, and we found that the effect produced was quite sufficient, the immediate result being, that wherever arrests were made the conspiracy seemed at once to come to an end. A most gratifying feature presented itself in connection with this matter during the months of November and December, for a spirit was evoked such, indeed, as had been evoked on many occasions before, which led all classes and all parts of the population to testify their utter repudiation of the designs of these persons. We received loyal addresses and resolutions passed by meetings held in various parts of the country, and composed of men of every class and creed. There was hardly a man of any influence in the districts where danger was supposed to exist who did not at once record his desire to give every support in his power to the Government, and who did not repudiate, in the strongest terms, any sympathy with the conspirators in their designs. Sir, the Government received these assurances thankfully, answering them in almost every instance. The answer was this—that if the Government saw any necessity for appealing to the active support of the loyal population of the country of all classes and creeds in their endeavours to maintain the public peace, they would not have the slightest hesitation in doing so. At the same time, it was pointed out that the law is express upon this subject, and it is that no measure of the kind, such as swearing in special constables, shall be taken unless it is proved by satisfactory evidence that the ordinary powers placed at the disposal of the Government are insufficient to cope with the danger. I am happy to say that in no part of Ireland did any circumstance arise which could justify the Government in informing the magistrates that such an emergency existed. Had such necessity arisen, we should have had banded on the side of the law and order every man in the country whose opinion or whose influence was worth having. Sir, the consequence of all this was that towards the close of the year those unmistakable signs of disquietude to which I have referred had to a great extent disappeared. The subscriptions which had been pouring in in considerable numbers in December, gradually became scanty, and, as far as we could judge, the whole thing by the middle of January was at a very low ebb. The non-appearance of the leaders, who had made protestations in America that they were going to create a rebellion in Ireland during 1866, induced considerable doubts in the minds of their supporters whether they intended to appear at all. I assure the House I never made an announcement with greater pleasure than I did when, before the meeting of Parliament, I told my Colleagues, with the full concurrence of every Member of the Irish Government, that we saw no reason why the extraordinary powers granted by Parliament should not be at once dispensed with, and why we might not rely for the preservation of the public peace on the ordinary powers of the law. Sir, soon after Parliament met there took place at Chester that mysterious and unaccountable occurrence. Whether it was the effect, or whether it was a mere coincidence, is difficult to say, but immediately the announcement of that movement got abroad, the old signs of disquietude re-appeared, and every sign of activity on the part of well-known members of the Fenian Brotherhood was again manifested. An unusual number of strangers appeared, activity was displayed among those known to be connected with Fenianism, and alarm was at once apparent. Then, Sir, followed that extraordinary occurrence in a remote part of the South of Ireland. It is not necessary for me to describe to the House the details of what happened in the neighbourhood of Cahirciveen and Killarney, because they are already in full possession of them, and nothing that I could say would add to the extreme preciseness and accuracy of that information. A sudden outbreak took place, which was evidently got up and led by persons not known in the country, who succeeded in persuading a small number of deluded individuals to appear in arms for as long, I think, as upwards of three days, against the authority of the Queen. Sir, the first thing shown by these occurrences, is the ease with which measures may successfully be taken by the Government for the repression of such disturbances. The second is that the most ample information is at the disposal of the Government, and that they are warned in sufficient time to allow them to take the fullest precautions for the preservation of the peace. The third is, that the loyal spirit of the population has displayed itself, and that there have been no signs of sympathy with the Fenian movement on the part of the great mass of the agricultural population of Kerry. To show with what ease troops may be transported from one part of the country to the other, and how hopeless of success these movements are, I may mention that the information of the late outrage did not reach Dublin until six or seven o'clock in the evening, at a time when most of the official gentlemen had gone home. Notwithstanding this, Sir Alfred Horsford received intelligence of what had occurred at eight in the evening, and by eight o'clock next morning he was 110 miles off with a small army of 1,000 men, ready to march anywhere. In the course of the day he received orders to go to Killarney, and arrived there the same day with ample means to suppress any attempt at insurrection. With regard to the information received by the Government two hours before anything occurred at Cahirciveen, the constabulary received information of the intended attack on the police barracks, and in ample time to put them on their guard. Before the insurgents arrived the authorities were ready to receive them, and to afford protection to the loyal and well-disposed. At Killarney the magistrates received information which enabled them to arrest the man who intended to be the leader of the movement. In Killorglin, again, the police were warned of the intentions of the rebels, so that every movement has been notified in time to the authorities, so as to allow precautions to be taken and salutary measures to be adopted. I wish now to refer to the spirit of the agricultural population of the county. The insurgents, by threats and persuasions, endeavoured to induce the agricultural population to join them, but they signally failed in every instance. No sympathy was expressed in the movement, and although a certain amount of terror was, no doubt, caused by these armed bodies of men, they did not succeed, except in one or two instances of extreme compulsion, in getting food from the population of the district. A great deal has been said of the supposed sympathy of the agricultural population of the South of Ireland. Now, I do not wish to overstate the case; but it is my duty to say that, so far as my experience extends, I have not, since I have been in office, seen any evidence of that sympathy with the rebels, on the part of the population, which some people say so widely exists. I do not deny that a great deal of discontent exists in Ireland; but I do not believe that there is sympathy with the authors of these insurrectionary movements, among the rural population. There are some curious facts on this subject which I should like the House to consider. At the end of November, when, as I told the House, the movement was almost at an end, I had some statistics prepared of the occupations of those who had been connected with the Fenian conspiracy, and who had been imprisoned since the Habeas Corpus Act was first suspended. It shows that the men engaged in this movement have been confined very much to one class of the population. The total number of persons arrested up to the end of November, 1866, was 752. Of these, 314 were tradesmen, artizans, and millworkers. Many of these might be shopkeepers, but as they were entered merely as "tailor" and "shoemaker," they were classified among the tradesmen. There were fifty-two shopkeepers, twenty-five publicans, forty-five clerks and commercial assistants, and thirty shop assistants and shopkeepers' sons. There were only thirty-five farmers, and twenty farmers' sons (three of whom were students). The remainder consisted of national schoolmasters, persons who had been in the American army, labourers, &c. [An hon. MEMBER: How many national schoolmasters?] Not less than twenty-nine, and I am sorry for it. But of the 752 arrested up to November, under the Lord Lieutenant's warrant, only thirty-five were persons in the occupation of land. That is sufficient to show the House the particular class of persons who are engaged in this conspiracy, and the House will learn with satisfaction that the most important and numerous class of persons of these districts, who are in possession of almost all the wealth and industry of the country, have abstained from taking part in this movement. I should not perform my duty if I did not state here, in regard to recent events in the South and West of Ireland, how much the country is indebted to the exertions of the Roman Catholic clergy. Every one knows how great their influence is over their people, and I have great satisfaction in stating that I believe there is not a Roman Catholic clergyman who has not, either directly or indirectly, exercised the whole of his influence to prevent the people from taking a part in this conspiracy. Witness the occurrence at Rosbeg. The Rev. Mr. Maginn met a body of armed men in the middle of the night on their road to the police barracks, and addressed them. That was not a duty of a very agreeable nature. We know that those Irish-American colonels and generals are not men who have much respect for the sacred calling. But the idea of danger did not present itself to the mind of the rev. gentleman. He addressed them at considerable length. They were unknown to him, because they came from another parish, but he warned them of their danger, and implored them to desist from the attack upon the police barracks, which they meditated. In consequence of this appeal the men, to the number of sixty or seventy, desisted, and crossed the mountains in a different direction. There are many occasions in which the Roman Catholic clergy have addressed their flocks in the most impressive manner, and the House has probably seen some of these addresses in the newspapers. A Member of the Government would fail in his duty if he did not acknowledge the great obligations which this country is under to these clergymen for their assistance in preserving the peace of the country. Last week there were ninety-seven persons in custody under the Lord Lieutenant's warrant. I think every one must admit that after what has occurred in Ireland during the last week or ten days it would be impossible for the Government to avoid asking for the extraordinary powers which Parliament gave under similar circumstances on the previous occasion. It is well known that large numbers of persons have arrived from America ostensibly to take part in the movement. These persons, if this Act be continued, will find that success will be impossible and their imprisonment speedy. I have, on the other hand, a strong conviction that if the House should deprive the Government of this power of sudden imprisonment, we should be deprived of the only power of dealing effectually with this particular class of men. To show, however, that the Government do not demand these powers for a longer time than is necessary, and in order to give Parliament the opportunity of deciding for what space the continuance of these powers is necessary—above all, in order to show the mass of the loyal and well-disposed people of Ireland that we trust in them—we do not propose that this Act should be continued for a longer period than three months. That will give Parliament, during the present Session, an opportunity of again deciding on what course should be taken should the Government deem it necessary to ask for a further renewal of these powers. Sir, if these deluded men continue their operations, if they still remain in this country, if they go about spreading false and mischievous stories among the people, announcing their intention to make war upon the Queen, then Her Majesty's Government will not shrink from applying to Parliament for another prolongation of this Act. But, Sir, I would fain trust that the events of the last week may be sufficient to show these persons how hopeless are their designs; also that the willingness of Parliament to grant us a continuance of these powers may show them that this country is not to be trifled with. We have endeavoured, on every possible occasion, to have recourse to the ordinary course of the law. Accordingly, at the late Commission in Dublin the Government placed on their trial a number of persons for their participation in this conspiracy. The consequence is that thirteen or fourteen of them were convicted and are now under sentence, some of them having pleaded guilty. One of the most important convictions that have taken place was that of the man named Meany, who was indicted under the Treason Felony Act, for that, being a British subject, he was connected with, and had been engaged in, treasonable practices in a foreign country. The evidence against him was clear; and, under a clause of that Act, which was framed for this particular purpose, he was convicted of a treasonable offence. That ought to be sufficient to show that British subjects cannot go to France or America and engage in treasonable practices or conspire to levy war against the Queen of this country, without being responsible, if they come back, to the ordinary law of the realm—that they commit an offence against the law of England, and are liable to be most severely punished. I think, Sir, I have said enough to convince the House that an absolute necessity exists for renewing these powers for a limited time; and I ask for their renewal not only in the name of the Government but in the name of the large majority of the people of Ireland, who are desirous that it should be granted. I will read to the House a resolution, passed yesterday at a meeting of the magistrates of the county of Kerry, which was forwarded to me by telegraph. An hon. Member of this House, the hon. Member for Kerry (Mr. Herbert), was in the chair, and it was proposed by Mr. James O'Connell, and seconded by Mr. D. C. Coltsman, and unanimously resolved—

> "That in the opinion of this meeting the safety of life and property imperatively requires the renewal of the Act for suspending the Habeas Corpus Act, and that the Government ought immediately to be apprised of this our opinion. Resolved,—That our chairman be requested to forward the foregoing resolutions to his Excellency the Lord Lieutenant, with an urgent request that no effort be omitted to ensure the renewal of the Habeas Corpus Suspension Act."

That meeting consisted both of Protestants and Roman Catholics, of gentlemen belonging to almost every shade of political party; and the resolution was moved by a near relative of Daniel O'Connell. That will show how completely unanimous is the opinion of the loyal population in Ireland that this House ought to continue these powers to the Government. We have received similar expressions of opinion from all parts of that country. Great alarm has been excited; and the general impression in people's minds in Ireland is that the renewal of this Act is the only mode by which the Executive can be armed to meet the peculiar danger with which the country is menaced. My Colleagues and I have been placed now for a considerable time face to face with this conspiracy; and I may say that the longer I live, and the more I see of it, the more am I convinced how mean and despicable a thing it is, and how sordid are the motives of the men engaged in it. The collection of money is the principal object they have in view. In 1848 some men of high character and respectability—men of great talent, and I may almost say genius—were engaged in a treasonable movement, which yet only resulted in the wretched Ballingarry affair. But everything of that kind is absent in this case. These men keep almost entirely in the dark. The leaders are hardly ever seen. The reputed leader has ever since the 28th of October been in hiding. Even in the midst of the large population in the United States which is known to sympathize with this movement he has not dared to show his face. That is the movement against which this House is now called upon to legislate. That is the sort of men who place themselves beyond the ordinary powers of the law, and to deal with whom extraordinary powers are required. It has been called a military movement; but its military exploits have been confined to three cowardly and atrocious crimes committed in connection with it. An unhappy man, suspected of being an informer, was murdered on the bank of a canal near Dublin; one policeman lost his life, and another was wounded in the back while endeavouring to perform his duty carrying despatches in the county of Kerry. Yet many of these men, whose exploits are of that character, call themselves colonels, captains, and lieutenants of the Fenian army, and have been parading in full uniform the streets of New York announcing themselves as about to undertake the conquest of Ireland, and calling themselves "the regenerators of their country." But it would be well that they should know that what is burlesque in New York may be tragedy in Dublin, in Limerick, or in Galway. We might commiserate the poor illiterate men who have been seduced into joining this movement by representations that they are serving the interests of their country. No doubt punishment would have to be awarded according to law to these miserable dupes, but still to some extent they deserve pity. But, Sir, there can be no pity due to men like those evil-disposed strangers who return to vex and disturb their native land; and if they attempt to carry out the purposes they have formed in America they will find a swift and sudden destruction overtake them. They are but lawless "filibusters," and the punishment they will be called upon to undergo will be that which every civilized nation visits upon such heinous offenders. They inflict the direst injury on their country. By them the peace of Ireland has been endangered, trade and commerce checked, industry stopped, and capital scared away. Before I sit down, I should like to read to the House a short extract from a remarkable address delivered last Sunday by the Roman Catholic Bishop Moriarty to a large assemblage of his flock at Killarney. I am sorry to say that even in that congregation there were sympathizers with this movement, and that a number of young men left the church while the Bishop was speaking. The Bishop said—

> "One word about the prime movers of all this mischief. If we must condemn the foolish youths who have joined in this conspiracy, how much must we not execrate the conduct of those designing villains who have been entrapping innocent youth and organizing this work of crime? Thank God! they are not our people, or, if they ever were, they have lost the Irish character in the cities of America; but, beyond them, there are criminals of a deeper guilt—the men who, while they send their dupes into danger, are fattening on the spoil in Paris and New York. The execrable swindlers, who care not to endanger the necks of the men who trust them, who care not how many are murdered by the rebel or hanged by the strong arm of the law, provided they can get a supply of dollars either for their pleasures or for their wants! Oh, God's heaviest curse, His withering, blasting, blighting curse is on them!"

Sir, I cannot add a single word to this. I believe that the right rev. gentleman was amply justified in every expression that fell from him; and it is, Sir, in order to enable Her Majesty's Government to get rid of these pests and drive them from the country that I now ask the House to continue to us these exceptional powers.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Lord Naas.*)

SIR GEORGE GREY: Sir, I fully shared the satisfaction which I am sure was felt by every Member of this House at the announcement made in the Speech from the Throne that, in the opinion of Her Majesty's Government, the time had come when the exceptional legislation required for the security of life and property in Ireland might cease, and when the ordinary course of law might be safely restored in that country. It is therefore with deep regret that I find that the expectation thus held out to the House cannot be fulfilled. But I do not hesitate to say that, independently of the statement of the noble Lord, the facts which have lately taken place, and the occurrences which are notorious, justify the noble Lord in now coming forward to ask that Parliament should not deprive the Government of those powers which can alone enable them to deal with a conspiracy with which we are all, unfortunately, now too familiar. I think the Government would have failed in their duty if, on account of an opinion they had expressed before these recent occurrences, they had abstained from now asking at the hands of Parliament those powers which are essential for the maintenance of the security of life and property in Ireland; I must express my deep regret—which I am sure every Member of this House shares—that there are persons, whether in or out of Ireland, who, after the experience of the last twelve months, are still wicked or insane enough to keep up a treasonable movement which, while utterly hopeless in its success, is inflicting, as the noble Lord said, the greatest evil on Ireland; and which, small as are the numbers engaged in it, not only creates a feeling of insecurity and alarm, but must impede every measure for the real improvement of that country. Good may, however, arise out of evil, and I hope that in this instance the feeling which has been generally manifested in Ireland, irrespective of class or creed, in opposition to these wicked and treasonable designs, will tend to lessen the bitterness of that political and religious animosity which has too frequently exhibited itself in that country; will lead men of different parties and denominations there to act more together for the common advantage of their native land, and will induce Parliament to legislate for Ireland in a spirit of impartiality and conciliation, and with an earnest desire to remove every just cause of complaint—if just cause of complaint there be—by taking those means which may best conduce to her true and permanent prosperity. The noble Lord has paid a well-merited tribute to the conduct of the Roman Catholic Bishops and clergy in Ireland, for it is impossible not to see that their influence has been strenuously exerted in doing that which, as loyal men and lovers of their country, they were bound to do, with a view to preventing the spread of this conspiracy. Looking to the arrests which have been recently made, I think everybody will admit that it is essential for the general security that those persons should not be allowed, by their immediate liberation, to prosecute their treasonable designs; and I was glad to observe that, in the short discussion yesterday on the introduction of this Bill, three Irish Members—all entertaining Liberal opinions—sharing in the feeling of regret, and I may say of humiliation, to which the necessity of this measure is calculated to give rise, yet admitted that necessity, and concurred in the course taken by the Government. The noble Lord, in my opinion, does well in limiting the operation of the Bill to a period of three months; and I am sure we shall all rejoice if within that time the conviction shall force itself on the mind of these agitators that they have not the slightest chance of achieving even transient success, and if the noble Lord shall be able to announce to us, on the responsibility of the Government, that there is no further necessity for the continuance of this measure.

Mr. BAGWELL said, that though he should not oppose the passing of the Bill, he had to complain that many persons who were committed to Mountjoy Prison under the provisions of the Habeas Corpus Suspension Act were placed in solitary confinement, and were treated, though not found guilty of any crime, as if they were convicted criminals. Unless he received a promise that those prisoners should be treated differently in future, he should move a clause in Committee on the Bill, with a view to remedy a state of things to which he strongly objected. He hoped they would receive from the Government an assurance that whenever it was found necessary to put the provisions of the Act into force it would be done with the utmost tenderness and caution. It was the foreign element that made this movement dangerous, and as a protection against the persons coming from America it was necessary to put the Act in force.

Mr. BLAKE did not mean to oppose the measure if the Government considered it necessary for the suppression of the insurrectionary movement, as it was a mercy to those embarked in the hopeless attempt. He believed, however, that the law as it stood was sufficient for the purpose. There were numbers then in prison who would have been released in a few days only for the movement in Kerry. As they had not participated in it, he hoped Government would take a favourable view of their case, and release such as it would be safe to do so without imposing on them the heavy security which he was aware had been in some instances availed of by Government magistrates to throw petty obstacles in the way of the liberation of prisoners when the order for release came.

With the suppression of the movement in Kerry he believed for the present there would be an end of active rebellion in Ireland; but let not the House be deceived into thinking that as much disaffection did not prevail as ever. They might be sure it did, and only awaited a favourable opportunity to show itself. He could fully corroborate what the late Lord Lieutenant had said after he left office, "that the peasantry of the south and south-west of Ireland would join the movement if they thought it likely to succeed." They, as well as the great mass of the people of Ireland, despaired of their grievances as regarded the land question being redressed by constitutional means, and regarded a resort to arms as the only method by which they could right themselves; and they did not adopt that last resort only because they well knew that under present circumstances there was no use in contesting with the whole military power of England at a time when that country was at peace with other nations. But if she became engaged in a war with some powerful State, when the arm of Ireland would be most wanting to aid her, the chances were Ireland would be a sharp thorn in her side. The reckless folly the Fenians exhibited in their conspiracy in Ireland, their invasion of Canada, their meditated attack on Chester Castle, and the raid in Kerry—all went to prove that, if a good chance for rebellion offered, numbers might be expected to flock round the standard of any leader who presented himself in whom they had confidence. At that moment there were at the convict works of Portland, or in other places of penal-servitude, fully fifty representative men of the Fenians, many of them soldiers and non-commissioned officers, who had served with distinction in the British army. How many thousands were there behind these men who sympathized with the movement? Stephens had been lauded as a very wonderful man on account of his organization and the numbers he had induced to join him. No doubt he was an able man; but the country offered such ready-made materials for rebellion that any zealous active man taking the trouble would get any amount of persons to undertake to join a rising that promised success. The noble Lord read a list of those arrested to show there were few farmers in the movement. But did it not occur to him that if the artizans, schoolmasters, and others he spoke of, did not feel certain that the peasantry would join them if things looked promising that they would ever have entered into the enterprize. They knew right well that the farmers had great grievances to complain of, and would hail any change as one for the better. The noble Lord was rather inconsistent in his assertions about the state of feeling in Kerry. He said the Fenians met with no sympathy there, and gave credit to the Bishop and clergy for being the great cause of the coldness shown to the adventurers. The next moment he had to admit that some of the congregation walked out of the chapel when the rev. prelate denounced Fenianism; and he would like to ask the Chief Secretary if the insurgents received no assistance from the peasantry, how it was, with a military force of probably some thousands hemming them in, and having no food with them, that the horse, foot, and artillery had not captured a single Fenian invader? The correspondent of *The Standard*, who, he believed, was an eye-witness of most of what he described, said that nearly all the male portion of the congregation quitted the chapel during the Bishop's exhortation. Now, if that did not look like sympathy, he was puzzled to know what it looked like. The noble Lord and others said that Fenianism was entirely of foreign growth, and had taken but little root in Ireland. If it had not, why were they making so much work about it?—and as to being of foreign growth, he might as well say that the Italian, Polish, Greek, and Hungarian revolutions were of foreign growth, because the people who fomented them met and conspired in London. The Italian and Greek revolutions were not a bit more of foreign growth, because the Italians and Greeks who took a leading part in them found it more convenient and safe to mature their plans in France and England. In the same way the Irish Americans, who wanted to revolutionize Ireland, concocted their plans at New York or Washington, but were ready to form a junction in Ireland with their countrymen at the right time. The Irishman who arrived in America had, if possible, stronger feelings against England than those he left behind. In proof of this he might mention that a person near Clonmel sent a friend some time since to O'Mahony, who was then treasurer to the Fenians, for a debt of twenty pounds he owed him. O'Mahony paid him in English half-crowns and shillings, which he had received from the immigrants just landed, whose first act on arriving in America was to contribute to the fund for carrying on the war against England. Whilst there was so much to complain of, the House might feel sure that, whether at home or abroad, the Irish peasant regarded England with hostility, as the cause of his own and his country's misfortunes. Coercive Acts like the one about being passed might quench the flame of rebellion, but the embers remained, ready to burst out anew, and undoubtedly they would unless Ireland was legislated for in a generous and statesmanlike spirit. He, as well as others, had appealed to the late Administration, when they suspended the Habeas Corpus Act last Session, to introduce some measure which would tend to remove the causes of disaffection. They had responded to that appeal by bringing in a Land Bill which, if passed with some modification, would, he believed, whilst serving the landlord, have brought contentment and prosperity to the tenant, and, in a few years, have made Ireland as loyal as England or Scotland. Unfortunately, the Government were defeated before they could carry their good intentions into effect. When he heard the allusion to the land question from the Throne, he hoped the result would have been a measure of nearly equal value to the one introduced by the late Government. Had it been so, he would have felt it his duty to his country to support the Administration of the Earl of Derby, as he placed that vital question, involving, as it did, the very life of the people, and their existence on their native soil, before every other consideration. But he was grieved to say that the measure, as shadowed forth in the speech of the Chief Secretary for Ireland a few nights ago, would not be worth the paper on which it was printed to the great mass of the tenant farmers. The present Administration had a glorious opportunity of raising Ireland from her depressed position. Let them, of course, suppress the revolt, such as it was; but if they had to strike with the mailed hand, why not, when the sad necessity ceased, raise up the prostrate form, and render Ireland a prosperous and contented sister of England? A grave responsibility before God and man would be incurred by the Ministry if they suffered, without an honest effort to prevent it, the fairest portion of the Empire to continue poverty stricken, discontented, and disaffected.

MAJOR KNOX said, he regretted to hear the hon. Gentleman the Member for Clonmel calling upon the Government to treat these ruffians in a better way than prisoners for debt were treated in Ireland, and he trusted that the application would not be granted. His object, however, in rising was to call attention to the statement of his right hon. Friend, to the fact that he depended much upon the Roman Catholic clergy and Bishops. No doubt that was so; but it was only fair to say that the loyal men in the North of Ireland were ready and willing to support the Government under any circumstance. For his own part, he regretted that it was not proposed to extend the suspension of the Habeas Corpus for a year instead of three months, because all right-minded men in Ireland regarded it as a protection, and not as an interference with their liberties. He had heard that when the hon. Member for Birmingham (Mr. Bright) went to Ireland, he attended a meeting — he would not say of what — at which he proposed that the Government should buy up some of the estates and re-sell them on easy terms among the tenant farmers. He understood, however, that a number of people at the meeting objected to that proposal on the ground that they would rather get the estates for nothing. He would suggest to the hon. Gentleman that it would be as well if he ceased to go roaming about Ireland, raising hopes which certainly could never be fulfilled, and which were not for the benefit of that country.

MR. BRIGHT: I had no intention of saying a word in this discussion, and I can assure the hon. Gentleman who has just spoken—and he is, I presume, a Member from Ireland—that I shall say nothing to him as to any opinion he may entertain about me or about what I have said or done. I rise for the purpose of expressing my astonishment that there should be any Member in this House who defends the course which has been condemned by my hon. Friend the Member for Clonmel (Mr. Blake), who defends the practice of arresting men under the Act now in force merely on suspicion, and merely as a precautionary measure, at a time when suspicion is very common, and when evidence is often very little to be depended on; and that men so arrested should be treated with, if not the harshness, I may say the severity which is often, and, indeed, commonly shown to criminals who are convicted. It appears to me that Parliament could never have intended that such treatment should be shown to persons arrested under this Act. They are not punished, and the Act does not intend that they should be punished. They have not been tried. It is not the custom in England, and it is not to be defended under the English Constitution, that men who have never been tried, and therefore cannot have been convicted or sentenced, should suffer the severity which seems to recommend itself to the feelings and the sense of justice of the hon. Gentleman who has just spoken. I am not surprised that a Member who could say that should complain of the noble Lord that he only recommended the House to pass this Bill for three months. If there be one thing more than another which has given satisfaction to-night on this sad occasion, it is that the noble Lord was able to say he thought it was better that the Act should remain in force for three months only, and that he hoped at the end of that time he should be able to assure the House that the Act was no longer necessary. The hon. Gentleman opposite comes from the country which has suffered all these misfortunes, and which during the lifetime, I suppose, of the oldest Member of this House has been periodically before the House in the position in which we find it to-night, complaining always—rightly or wrongly, but complaining always of the injustice of this House, and objecting always to the coercive measures of this House. I hoped that there had not been on that island, or from that island, any man who could have stood up before the Imperial Parliament of this country, and expressed—I was about to say, and if I were out of the House I would say—such atrocious sentiments.

MR. O'BEIRNE said, he regretted that a measure of this kind should have been again called for. On a former occasion he seconded the Resolutions of the hon. Member for Cork, the object of which was rather to call the attention of the House to the necessity of listening to the oft-repeated applications for justice from that country, than to throw any obstacle in the way of the Government. Soon after the present Government came into office they spoke of sympathetic measures, but no step in the right direction had been taken. He gave the noble Lord credit for certain changes of opinion, and for the manner in which he proposed to work out these changes in regard to the land question, but considered the measure which had been introduced nothing more than a delusion. He was glad to hear the manner in which the services of the Roman Catholic Bishops and clergy had been acknowledged, and hoped the noble Lord in return for those services would recommend his Colleagues to cancel the Ecclesiastical Titles Act, which prevented them from taking the position to which they were entitled. If the Government would relieve the Catholic clergy in Ireland from the disabilities under which they laboured, if they would deal with the Irish Church, and look to the question of education in Ireland, then, indeed, they would be doing something towards relieving themselves from the degrading and humiliating necessity of asking again for a suspension of the Constitution of the country. If the noble Lord and his Colleagues carried out the promises they had made, and the remarks delivered by the Lord Lieutenant at the recent banquet of the Lord Mayor of Dublin, they would do the State a lasting service, and achieve for themselves the well-earned gratitude of a loyal people.

MR. KENNEDY said, he regretted the continued renewal of the Act, the necessity for which arose from the unjust arrangement between the owners and occupiers of the soil. He believed the root of all the evils of Ireland to be centred in the land question and in the state of the Irish church, which was an insult to the whole of the Roman Catholic population.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

METROPOLITAN POOR BILL—[BILL 9.]

(*Mr. Gathorne Hardy, Mr. Earle.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. G. Hardy.*)

VISCOUNT ENFIELD said, that speaking on behalf of a large constituency which would be affected by its provisions, he fully justified the President of the Poor Law Board in dealing with the question. Referring to *The Lancet* Commissioner's Reports, he earnestly wished to see increased cubical space provided in workhouse infirmaries. In coming to the consideration of any changes in the administration of the Poor Law in the metropolitan district, the House had to deal with a very strong impression on the public mind that some sweeping reform was required; whilst, on the other hand, they must remember that the parochial mind was very sensitive on the subject of local self-government. He gave credit to the right hon. Gentleman for the impartial Committee which had been appointed to inquire into the subject, and was fully convinced that the state of the workhouses required immediate attention, and that some additional buildings were requisite. He thought some further information was desirable as to the distinction between the cases of lunatics to be removed to county and separate asylums. The separate asylums had been recommended by the Lunacy Commissioners in 1859; but he should be glad if the right hon. Gentleman would inform him how he proposed to distinguish between those cases which were now sent to the county asylums and those for which he proposed to provide separate asylums. With regard to cases of fever and small pox, there were only two institutions in the metropolis where these cases were treated. It was now proposed to establish two institutions on the north and two on the south side of the Thames; but he was afraid that the extraordinary prices demanded for land around London would considerably increase the difficulties of carrying out the measure. With respect to the provision of separate asylums for various classes of the sick poor, he believed the Bill carried ont the recommendations of the Commissioners of 1834. With regard to the removal of children from the workhouses to district schools, the District School Act of 1844 proposed that they should be so removed, and there was no part of any scheme for the improvement of workhouses more useful than that. He gathered from the Bill itself that the managers would be nominated by the existing Boards of Guardians, together with certain gentlemen who should be appointed by the Poor Law Board. He approved of the provision that the drugs and medicines should be provided by the districts. At present there were only five unions in the metropolis which provided expensive medicines at their own cost, and it was unreasonable to expect that the surgeons receiving small salaries should themselves provide those drugs and medicines. He now approached the financial part of the question. He was well aware of the extraordinary difficulties which hampered the subject, and of the pressure which had been put on the right hon. Gentleman (Mr. Gathorne Hardy) for the equalization of the poor rates throughout the metropolis. He would not give full expression to his own views upon this important subject—it might be imprudent just now; but he would say that in going as far as the right hon. Gentleman had done, he had not gone one bit further than public opinion was ready to support him; and if at a future time he saw his way to further progress in the same direction, he would find that waste, bad management, and want of responsibility would vanish, and with them the bugbear of centralization. If the whole metropolis was obliged to pay for the expense of lunatics, fever and small pox patients, children's schools, fees for birth and death registration, vaccination, and other such matters, more than half the battle was already fought. So far as the right hon. Gentleman proposed to go, he gave him his most cordial and hearty support. He also approved of the arrangement by which the money was to be paid from the Metropolitan Common Poor Fund. A few years ago the Metropolitan Board of Works objected to be receivers of the fund raised for the support of the casual poor, and perhaps the plan contemplated by this Bill was the better. There was one portion of the Bill, however, which might meet with some opposition—namely, the repeal of the local Acts, which were, he believed, ten in number. Now, there must be something radically wrong in a system under which, year after year, unseemly contests arose between the Poor Law Board and the parishes under local Acts, which refused to recognise the authority of the Central Board, and were perhaps unable to carry into effect those improvements which the Central Board and public opinion pressed upon them. He was afraid that some opposition would be made to that part of the Bill which dealt with the parishes under those local Acts, but he would give it his support. In conclusion, he earnestly trusted that a measure of this paramount importance would be pressed forward, not with undue haste, but with all possible despatch. The question was too important to brook delay. Other triumphs might be won in this House, but the triumph of the right hon. Gentleman, if he carried this Bill, over poverty, disease, misery, and affliction would be one well worthy of the previous reputation he had won; and so far as his humble support was concerned, he promised that he would give it most sincerely and cordially to the right hon. Gentleman.

MR. LOCKE said, that the metropolis was much indebted to the right hon. Gentleman (Mr. Gathorne Hardy) for introducing this Bill, and so far as it went he (Mr. Locke) would give it his most earnest support.. There was one point, however, where the right hon. Gentleman might have gone a little farther, and that was with regard to building the extra asylums in certain portions of the metropolis called districts. It would very frequently, and must indeed generally happen, that those districts would be composed either of rich parishes or of extremely poor ones. If they were composed of rich parishes it was quite obvious that they would be very well able to erect them at their own expense, and feel it no great burden. But let them take another district—the one, for instance, in which he was principally interested on the other side of the water. He presumed that Lambeth and Southwark, or portions of those two boroughs, would be united together to form a district, which would be called upon to erect these new buildings at its own expense. He thought, and the opinion was entertained by the guardians and authorities in the poorer localities, that the expense of erecting these buildings should be borne by the common fund. The Bill, however, provided that the cost should be borne by the parishes forming the district, although it went on to say that after the asylums were built certain expenses might be borne by the common fund. The Bill further provided, by the 67th clause, that the expense of treating for small pox and fever in the hospitals should be borne by the common fund. He thought that provision should extend to all forms of disease, and he did not see why any distinction should be made between persons suffering from fever or small pox, and persons suffering from any other diseases. The same remark applied to the medicines; and he would ask the right hon. Gentleman to take those points into his consideration. Objection had been taken to the proposal as to the introduction of guardians not elected by the ratepayers. He had received a deputation on that subject, and some gentlemen of great experience assured him that it would not be possible in many parishes to select persons, whether magistrates or otherwise, rated to the amount of £100. It was therefore suggested that a £50 rating would be sufficiently high. With regard to magistrates, they were at present *ex officio* guardians, and it was suggested that where there might not be a sufficient number in the parish there might in the district, and that the district might be made available for their selection. As had been well stated by the noble Lord, public opinion was favourable to a larger measure than the present, and he hoped the common fund would not be so restricted in its operation as was proposed by the right hon. Gentleman. Taken as a whole, he approved of the Bill; but he was sure that if the measure were extended it would meet with the approval of the metropolis generally.

MR. ALDERMAN LAWRENCE said, he had no desire to oppose the Bill, but he wished to point out one or two imperfections contained in it. He saw that the City of London Union would have to pay £27,000 to the common fund, which was nearly 4*d*. in the pound, and the City of London had a right to complain that while it had lately re-assessed its property to a very high amount, there where twenty-four parishes in the metropolis which had not been re-assessed for several years, and that, of course, involved a much larger payment from those unions and parishes which had been re-assessed very lately. In those twenty-four parishes the total rating amounted to £9,134,800, which represented three-fifths of the whole rating of the metropolis, which amounted to £14,730,200. The whole metropolis should be fairly assessed, so that every part should bear its own fair proportion. He congratulated the right hon. Gentleman (Mr. Gathorne Hardy) on having framed a measure which would mitigate the pressure which now rested on the poorer districts, but predicted that the principle of a more equal apportionment of the poor rates would have to be carried further. Statistics showed that only 14 per cent of the pauperism of the country attached to the land, and that 36 per cent was traceable to domestic servants. It was in the West End where this class were most largely employed, yet the burden of their support, when they were obliged to resort to parochial relief, mainly fell on the poorer districts. When the new Poor Law passed, it was with the idea of crushing out poverty and pauperism throughout the country. It was found, however, that with increase of prosperity and all the appliances that administered to the comfort and luxury of a people, there must always be poor, and he hoped that by the relaxations indicated in this measure, that class would be better cared for than they had hitherto been. The separation of the sick, who were only temporarily in the workhouse, from the other inmates, would be a great benefit to the masses of the poor of the metropolis.

Mr. HARVEY LEWIS said, he must congratulate the right hon. Gentleman who had brought this measure forward, although there were several objections to the measure itself. It destroyed in a great measure the principle of local self-government, and it might have the effect of inducing a great amount of carelessness on the part of those who had hitherto been careful in looking after the poor. There was also this danger to be apprehended in increasing the taxation, that the poorer ratepayers who were only just able now to keep their heads above water, and, by great exertion, to pay their rates, might be brought down to the level of paupers themselves. He believed it was the fact that there were a great number of ratepayers at this moment who were wholly unable to pay their rates. In the borough which he represented there was necessarily a considerable amount of pauperism, and though many of the residents were, no doubt, in affluent circumstances, there were many ratepayers who, if the rates were increased, though only to a slight extent, would be reduced to the condition of paupers. The Bill provided in one of its sections for the reception of the sick and infirm and other classes of the poor into the asylum. It struck him that that provision was exceedingly elastic, and that there was no reason why any of the poor, even the able-bodied, should not come in under the designation of "other classes." As to the gentlemen to be appointed to act with the guardians, he quite agreed with the hon. and learned Member for Southwark (Mr. Locke) that the proposal for nominee guardians was objectionable, and that the qualification might be reduced to £50 with greater likelihood of finding persons able and willing to undertake the duties of guardian. As a rule, the persons who were most likely to take an interest in the administration of the Poor Law did not live in houses rated at £100 a year. What he feared was, that if the Poor Law Board added one-third to the number of the guardians one of two things might happen: either that parties might be selected who would not attend at all; or, if they did so, they would create, by reason of their being nominees of the Poor Law Board, so much jealousy as against themselves, that they might be induced to act as a compact body, and they would then rule things very much as they liked, and the guardians, who were elected by the ratepayers, would take very little trouble upon themselves. He feared that the expense of the measure would be considerable. He had to thank the right hon. Gentleman for his courtesy to a deputation which waited upon him yesterday, and trusted that their representations would have his best attention.

Mr. GILPIN said, that the House seemed so nearly agreed as to the merits of the Bill, that it would seem a work of supererogation to continue the discussion for any length of time. At the same time, having had the honour of being concerned with the Poor Law Board for some four or five years, it appeared to him the right hon. Gentleman opposite had done a great work in a very good manner. The Bill was one that was very much required. Were he disposed to enter into the details—which he was not, as the present did not appear to him to be the proper time to do so—he would allude for one moment to the multiplicity of Boards, and suggest whether there might not be a greater simplicity of management. If the Boards were not quite so numerous—if, in fact, they were more of a Central Board—he would say that the Bill itself was, in the main, an admirable Bill. He did not take entirely the views of one or two hon. Gentlemen who had preceded him in the discussion upon even some of the details, and he could only assure the right hon. Gentleman opposite that, as far as his influence went, he should have great pleasure in working with him the Bill through Committee, and doing all he could to support it.

Colonel HOGG said, that the parish with which he was connected—St. George's, Hanover Square—was one of the parishes under local Acts, but the local authorities did not intend to offer the slightest opposition to the Bill. The Board of that parish had, he thought, done their duty very well, but they could not expect exceptional legislation in their favour. The parish had set the example of adding to their burdens, having raised their assessment because it was not so high as it ought to be. He suggested that, under the existing system, sick casual poor were thrown on parish rates, who ought to be brought on to the common fund. He thought that his right hon. Friend had decided on a very just medium, and he should give a hearty support to the measure. He feared, however, from the large number of offices and buildings required, that the administration expenses would be larger than his right hon. Friend supposed.

SIR HARRY VERNEY said, he trusted that the right hon. Gentleman would include all the sick and insane poor in the common fund. Pauperism only should be dealt with by local rates. As to fever cases, it would be well to remember that they were better treated separately in huts, isolated from hospitals and infirmaries, than where large numbers were congregated together. The right hon. Gentleman had told the House that 850 cubic feet of space was necessary for each individual. If so, he imagined there would be only room for 14,000 instead of 20,000 in these London workhouses. One Board for the uniform management of the sick poor in London, just as the general drainage, &c., of London was placed under the Metropolitan Board of Works, would be preferable to the numerous local Boards provided by the Bill. That was the only plan for introducing economy and good management. He must unite in congratulating the right hon. Gentleman in undertaking a very difficult and important subject, and he trusted that in Committee they would make the Bill work satisfactorily.

MR. THOMAS CHAMBERS said, he must congratulate the right hon. Gentleman on the singular clearness and candour of the speech with which he had introduced the Bill, and he was glad to find that the Poor Law Board was so well represented on both sides of the House. He was, however, unable to give the measure his entire approval. He entirely approved of the proposal to separate from the mass of paupers those who were suffering from fever or small pox, or imbecility or insanity; but he could not give his support to that portion of the Bill which would subvert the whole of the present mode of conducting the Poor Law system in the metropolis. From the right hon. Gentleman's speech on introducing the Bill the inference might have been drawn that no such measure was required. The Commission of 1864 did not Report in favour of such a measure, but sanctioned the course followed during the last thirty years for the management of these affairs. Although the public mind had been naturally excited by the circumstances which had lately occurred in four of these London unions, yet the right hon. Gentleman thought it highly creditable that only four cases could be cited which had called down, and very properly so, the public indignation. If a very few isolated cases of that kind in thirty years were to justify them in condemning the present system as administered by the local Boards of Guardians, as good grounds could easily be discovered for condemning the Central Board itself. For example, had not the Central Board reprimanded the guardians at Croydon for appointing nurses to attend the sick? He had never heard any argument adduced in favour of the proposal for empowering the Poor Law Board to nominate guardians of the poor who were to sit in conjunction with the elected guardians. The Bill would take the management of the poor out of the hands of the guardians for the purpose of intrusting it to a Central Board; but that, to say the least, would be a mere experiment, and many persons well acquainted with the subject doubted very much whether that experiment would prove successful. Those people believed that the introduction of nominated guardians would not work satisfactorily, and that either those gentlemen would not attend, and then their appointment would be nugatory, or else they would only come when there was some special work to be performed; such, for instance, as the disposal of some piece of patronage, and then their presence would create irritation and jealousy. Moreover, if Boards of Guardians were to be put so entirely under the Central Board, they would become only ministerial officers without any discretion, and then they would not give their time and attention to the business. He had no personal experience of these matters, and was altogether at the mercy of those from whom he derived his information; but these persons said that no sufficient case had been made out against the guardians, and they complained of the unjust censure cast upon them. They objected also to the election of guardians being taken out of the hands of the vestries, and thought the Poor Law Board would be disappointed by the results of that change. Though approving the earlier part of the Bill, he was of opinion that the rest required very careful consideration in Committee.

MR. ALDERMAN LUSK said, that on the whole he approved of the Bill, but he thought that it might be improved in many of its details. He doubted whether the inhabitants of the poorer districts would be able to construct asylums at their own expense, as was proposed in the 5th and the 6th clauses. He had, in the first instance, approved of the principle of the Bill; but some of the objections urged by those who were practically acquainted with the management of the poor were so strong as to strike him with great force. It was a laborious, anxious, and often thankless task which those men undertook in giving up so much of their time and taking so much trouble respecting the management of the poor. As a rule, they did not occupy the best houses in the world, and the clause requiring nominated guardians to occupy houses of £100 a year would exclude the most valuable of this class of men, whom it certainly ought to be their object to encourage. No end of Boards for schools, hospitals, and so forth, were to be created, so that the administration of the poor would be far from being simplified. By Clause 17 it was proposed that twenty years should be allowed for the repayment of any loans that might be raised; but, in his opinion, it would be desirable to allow twenty-five or thirty years for that purpose. On the whole, he thought this Bill would pass easily through the House, and he had called the right hon. Gentleman's attention to one or two matters of detail which would render it more acceptable to the public.

Mr. SCOURFIELD said, that being connected by property with a part of London, where the pressure of the rates was heaviest, he wished to state that he approved generally of the Bill, but there were one or two points to which he wished to call attention. It was provided that one of the Commissioners of Lunacy should attend at the meetings of the Board for the management of pauper lunatics. He thought it would be of great advantage if the constitution of the Board of Lunacy itself were altered. Any business that required to be transacted with regard to pauper lunatics should be attended by some one more connected with that House than was the case at present. They all knew the expense that had been inflicted on counties in the matter of pauper lunatic asylums by the Lunacy Commissioners, while if anything went wrong a long and angry discussion ensued, which went through various Departments till it reached the Home Office, where, he must say, it generally received a courteous and amicable settlement. There had been a meeting lately of no fewer than twenty chairmen of quarter sessions, and they were all of opinion that it would be a great improvement if the management of pauper lunatics were more immediately connected with some Board represented in that House.

Mr. HIBBERT said, though he was not a metropolitan Member, he wished to make a remark or two on the Bill now before the House. He objected to, and protested against, the Poor Law Board being allowed to nominate members to act on the Boards of Guardians. If that were once admitted it would become a precedent for the same thing being done in the country. And wherever it was supposed that a guardian Board failed in its duty, the Poor Law Board would step in and claim the power to nominate members. He thought that was unnecessary, and if the right hon. Gentleman was not satisfied with the present composition of Boards of Guardians it would be better to raise the qualification, so as to get a higher class of men to undertake the duty, or to allow the Poor Law Board to send a paid officer of their own to attend the different Boards of Guardians in the same way in which it was proposed that the Lunacy Commissioners should be represented. This, he thought, would be of further advantage as tending to introduce unity of action. He also objected to the salaries of the different parish officers being thrown into the common fund. The best course, he thought, to adopt was to establish a Central Board by which all those charges might be brought within one settled rule. If the amount in each case was left to be fixed by a Board of Guardians, the result would be that we should have one Board attempting to raise it to the sum which happened to be paid by another.

Mr. C. P. VILLIERS: Sir, I rise to express my concurrence in the sentiments which have fallen from those hon. Gentlemen who have spoken in favour generally of this measure. I coincide entirely in their view as to its purpose and principle. It is a Bill, which, if I understand it properly, is meant to provide for the better treatment of the sick poor in the infirmaries of the metropolitan workhouses—an object greatly to be desired, inasmuch as it seems to be proved that the present system has failed in this respect. I look upon the principle on which the right hon. Gentleman (Mr. Gathorne Hardy) proposes to proceed in that direction as a sound one, as being in conformity with the principle of the Poor Law Act itself, and of that more recent legislation by which the area of charge was extended, and the burden of maintaining the poor distributed over a larger district than the mere locality supposed to be peculiarly liable. The principle of extending the area of charge touches, in my opinion, as the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) stated the other night, the root of mismanagement, whether in town or country. By extending the area of charge you weaken the motive for that kind of local parsimony which is very frequently mistaken economy, and is attended with great mischief to the poor. I congratulate the right hon. Gentleman on the view he has taken as to the mode in which the condition of the sick poor in the metropolis is to be improved, as well as upon the fact that after the experience of a few months he sees the wisdom of asking fresh powers from the Legislature not relying upon the imperfect authority under which he acts, or engaging in unseemly contests with Boards of Guardians. I felt sure that with his ability he would at once perceive the difference between the technical interpretation of the law from which his powers are derived, and its practical application under existing circumstances. I think, moreover, that the right hon. Gentleman is quite right in losing no time in coming to this House for the additional powers which he requires. At the present moment that feeling of distrust and jealousy of the Central Board which has prevailed ever since the enactment of the Poor Law thirty-two years ago, seems to have subsided for a while. Perhaps this is the first time since the creation of the Board when a reproach that it does not act with sufficient rigour would not be received with ridicule. It is the antagonism to that Board on the part of the public which has prevented the full development of the law, and the right hon. Gentleman must concur that it has in consequence been almost impossible to give effect, until very recently, to its provisions. To the same hostile feeling, he must also know, the appointment of the Committee to which he himself alluded, is to be attributed. That feeling was at its height in 1860, when an applicasion was made for the renewal of the Poor Law Commission. All that had ever been said against the Board was then urged by Members representing important constituencies; and, notwithstanding the appeal which was made by Lord Palmerston, Sir George Lewis, and other distinguished persons, there was a majority against the renewal of the Commission for the usual period, and against the Government of no less than 3 to 1. The Commission was, however, renewed for a shorter period than was proposed, on the undertaking that a searching inquiry should be instituted into the administration of the Poor Law Board from the time of its existence. It was at that time, I think, that upwards of 100 memorials from as many unions were presented to this House, praying that the Board might either be deprived of the powers which it possessed or discontinued altogether. Thus matters stood in 1860, and in the following year a Committee was appointed to investigate the subject. That Committee was not appointed by the Government, but was emphatically a Committee appointed by this House voluntarily. There was a most unusual number of Members placed upon that Committee for the purpose of making a searching investigation into the operation of the law, and so strong was my feeling upon that occasion that it was a question as to whether the Board should be continued or not, that I stated to the Committee that it would be improper for the President of the Poor Law Board to preside over that Committee, and, indeed, it was only in consequence of the great courtesy shown in the unanimously expressed wish that I should take the chair, that I consented to do so. I mention this to show what was at that time the general feeling towards the Central Board, which was censured because, as it was thought, it had not acted with sufficient energy and had not engaged in conflict and collision with the local authorities. For some weeks the Committee were engaged in investigating the charge, which was generally believed throughout the country, that owing to embarrassing and vexatious interference on the part of the Board with the local authorities, the guardians of unions and parishes in London had not been able to make effective arrangement for the relief of the poor during the season of 1861, when swarms of people were thrown out of employment, and were in the greatest distress. There was almost a panic in the metropolis, and the impression was that the guardians would have met the emergency but for the interference of the Poor Law Board. Perhaps the prejudice against the Board was at its height at the period to which I am referring. The Committee began its labours in 1861, and did not bring them to a close till 1864. After having examined witnesses of every class, the Committee, though it commenced the inquiry with some prejudice against the Board, came to the conclusion that the Board ought to be continued, and that the power which was especially objected to—namely, the power of issuing orders which were said to have the effect of law, and therefore to be unconstitutional, ought also to be continued. The Committee also expressed their opinion that these orders had been issued for the benefit of the poor, the persons whom they concerned. Looking at the spirit in which that inquiry was commenced, and the very hostile feeling manifested by the guardians, and, I may almost say, by the public, towards the Central Board, it would not have been prudent on the part of the Board if they had chosen that opportunity to proceed against the guardians in courts of justice, and to engage in what the right hon. Gentleman termed "unseemly collision" with the local authorities. And I think if the right hon. Gentleman shrunk from doing so in the past autumn that I cannot be blamed for not having commenced legal proceedings during the time that the Committee was sitting. I do not complain at all of the remarks made by the right hon. Gentleman; but when reflections are cast upon the Board for not having acted with more energy against the local authorities, I wish to remind the House of the state of feeling against the Central Board during that period. If the right hon. Gentleman is able to take action now it is because a better feeling exists towards the Central Board. The right hon. Gentleman, at the commencement of his speech the other night, referred to the opinion of the Committee, that the provision made for the medical relief of the poor was satisfactory, and that they saw no reason to recommend any change in it. I do not think the Committee can fairly be blamed for having come to that conclusion. They examined witnesses, called before them a number of medical men, and had besides a vast amount of documentary evidence on the subject. They also had before them the Reports of two Committees of this House, which were appointed for the distinct purpose of inquiring into that matter, and the recommendations of both those Committees had been faithfully carried out by the Poor Law Board. The Committee arrived at its conclusion in consequence of its having seen what great improvements had taken place in the position of the medical officers, what additional facilities were given to the poor to gain access to medical relief, and that at the time this matter was being investigated, the poor were treated better than they ever had been before. I cannot say that that is an excuse for the system which exists now, for I cannot deny that the present system is very defective. But, in justification of that Committee, I must say that at the time they were pursuing their inquiry the arrangements in respect of medical relief were better than they had been at any previous period. The Committee of 1854 recommended that the medical officers should be made independent by being elected for life instead of annually, and that any suggestion of theirs respecting the poor should be complied with by the guardians. Now, that was a very important change in the position of the medical officers who became independent of the will and caprice of the guardians. The Committee of 1861 found likewise that the salaries of the medical officers had been increased, that their districts had been diminished, and that more officers had been appointed. They also looked to the regulations which the Poor Law Board had framed with a view to the guardians and medical officers attending the poor in the workhouses, and I believe that had much to do in leading the Committee to express their satisfaction with the arrangements made for the medical treatment of the poor. The regulations to which I am referring were drawn up by some of the wisest and ablest men who ever acted in connection with the Poor Law Board—namely, Sir George Nichol, Sir George Lewis, and Sir Edmund Head. They devoted much of their time to the subject, and drew up orders for the general relief of the poor, giving especial attention to the relief of the sick poor. In their orders they required that the medical officer should be a competent person—that is to say, that there should be no longer any competition by tender, as was formerly the practice, and that no person should be appointed who had not received a diploma, or certificate from some University or other competent institution, declaring that he was a fit person to practise medicine and surgery throughout the United Kingdom. They next decided that his salary should be fixed, and that he should be as much aware of the circumstances of his position as any clergyman or curate should be before he accepted a preferment. They then empowered the medical officer to call upon the guardians to provide everything which could conduce to the comfort, health, and recovery of the patient. There was another thing which was directed by the Commissioners of that time. They made a regulation which was for the future to be binding upon every medical officer to prevent improper crowding, and they state in their Report that they felt it desirable to take such precautions as would render it difficult for any overcrowding of inmates to occur again. They made it a part of the duty of the medical officer to report in writing to the guardians any defect in diet, ventilation, warming, or any other arrangement of the workhouses, and any excess in the number of inmates which would be detrimental to the health of the inmates. That is one of the regulations which every medical officer is acquainted with when he accepts his office. But the Commissioners were not satisfied with this direction to the medical officers. They provided likewise that the guardians should appoint a certain number of their body for the purpose of forming a visiting committee, and the persons so named or told off by the guardians for this purpose were called upon to visit every sick ward, to see every sick patient, and to make an entry in writing of the condition in which they found each person. And not only were they called upon to make these entries in a book, but that book was to be printed and brought before the Board of Guardians every week, in order that its contents might be taken into consideration. Looking at the fact that the management of every workhouse is vested in the guardians by law, that they have complete control over every department, and that every person connected with these establishments is employed by them, it would appear that if these directions were attended to cases like those which have been lately made public could not occur. The Committee of 1861 undoubtedly expressed their satisfaction at the manner in which the Poor Law Board had carried out the recommendations of former Committees; but if the regulations of the Poor Law Board are not attended to by the guardians abuses and irregularities of every kind are certain to occur. It was only a few months after the Report of that Committee was published that the unfortunate case of the man Gibson, to which the right hon. Gentleman referred the other night, occurred in the Bloomsbury Workhouse. That is precisely a case in point, for the observance of the Poor Law regulations would have prevented the neglect and the abuses which are said to have occurred. At the coroner's inquest which took place in reference to this event the jury found that, although the unfortunate man must have died in any case from the effects of serum on the brain, yet that his death was accelerated by the neglect of all the officers of the workhouse, including the master, the doctor, the visiting committee, and the attendants upon the patients. This neglect occurred in a very wealthy and important district, and not only had these very guardians received a copy of the regulations, but proceeedings had been instituted against them in the Court of Queen's Bench by the Poor Law Board. In these proceedings, however, the Poor Law Board had been unsuccessful, as the guardians were protected by a local Act, which gave them the entire and independent management of their poor. On that occasion I had an interview with the Board of Guardians of that district, and I declare I never saw a more highly-respectable body of gentlemen than those who were associated in that office, and one would have thought that it would have been impossible to select any persons to fulfil such an office who would have been more likely to be attentive to their duties. I do not doubt that no persons were more shocked at the disclosures that took place than those who formed that Board; but they knew nothing about the matter. Every regulation which had been made, every precaution which had been directed had been neglected. The doctor had not attended the man. The visiting committee had not examined the wards. There had been no report made as to the doctor's request for the improvement of the wards. There was no evidence of the mismanagement that was going on to be found in the books, or in the entries made by the direction of the Poor Law Board. No doubt the public were greatly shocked at the disclosures that were made. That case, however, had the effect of awakening the feelings of a great many intelligent and benevolent persons relative to the manner in which these infirmaries were conducted and how the sick poor were treated, and no doubt this unfortunate case has tended more than anything else to change public opinion with reference to the Poor Law Board, and to the necessity of giving additional powers to the Board rather than to deprive them of any. After this case was brought before the public numerous communications were received by the Poor Law Board with regard to other unions, and a very general impression appeared to prevail that the unfortunate sick were greatly neglected in the workhouses. Among other communications which reached the Board was one from Miss Nightingale, who pressed upon them the great importance of training those who attended upon the sick in the workhouse infirmaries; and I believe that lady almost went so far as to say that the attendance of trained nurses upon these unfortunate people was of even more importance than the attendance of doctors or the administration of medicine. The case also gave rise to that very important and interesting inquiry which was conducted by three well-known medical gentlemen—Dr. Hart, Dr. Farre, and Dr. Anstie—who, after visiting every workhouse infirmary in London, came to the conclusion that these workhouse infirmaries, judging them by the standard of our public hospitals, were in every way unfit for the treatment of the sick poor. Their evidence was well supported by the very intelligent and able report drawn up by Dr. Smith and Mr. Farnall, and again by the gentleman appointed for the purpose by the right hon. Gentleman. These inquiries have produced a great effect on the country, and thus the matter has been brought to such a point as to be ripe for legislation. The question for the decision of the House is a very important one. A vast number of sick and destitute people have claims for relief upon the State, and from the benevolent feelings which have been manifested, both in and out of this House, it is evidently the universal desire that these people, numerous as they are, should be relieved and treated in a manner most conducive to their comfort and their recovery. Having this object in view, we have to judge of the measure which has been introduced by the right hon. Gentleman. In the face of our past experience no doubt can exist as to the principle that the sick poor must be treated distinctly and separately from other descriptions of paupers who have to be provided for in the workhouses. That I take to be the opinion of the right hon. Gentleman and of the public generally. The right hon. Gentleman has made certain admissions with regard to the treatment of these unfortunate persons which have excited great interest and, perhaps, apprehension on the part of the public. He has made the admission clearly and distinctly that these persons form a charge upon the metropolis generally; that they should no longer constitute a local burden upon its various districts, inasmuch as their health and recovery are a matter of general and not of local concern; and that, therefore, the charge incurred in their behalf should be borne by the general property of the metropolis. This principle is one which has been contended for by individuals in this House for many years past. I have always considered it to be just, and that the time would come when it would be admitted. The right hon. Gentleman, however, goes somewhat further when he says that this is a class of expenditure connected with the Poor Law which may be regarded as ascertained and fixed—to use his own expression—as not liable to be jobbed. Expenses connected with the nursing of the sick are not likely to be increased by any want of judgment or want of principle on the part of the persons who have the control over them, and therefore it is perfectly fair to extend the limits of the area over which the charge is imposed. This is a very important principle, and the right hon. Gentleman believes himself to be supported in the course he has taken with regard to this point by the sanction of Sir Robert Peel, when he relieved the local property of the country from the charge of medical officers and placed it on the Consolidated Fund. I do not doubt that he is right in the view he takes of the matter, inasmuch as I believe that it is quite right to fix a charge of this kind, if possible, upon the whole property of the country. The charge for the poor is as much a national charge as the interest on the National Debt, and it is perfectly right when we can fix a charge on the whole property of the country to do so. The country has hitherto been reluctant to view it in this light; but, in my opinion, nothing can be more capricious or unfair than the charge of the poor rate. The State undertakes to support the destitute poor of this country, and it does seem—it always seems to me—that there is very considerable injustice and something like caprice in saying that persons only are liable to support the poor whose property is local and visible. That might be right when the Poor Law originated, because there was then little property that was not tangible and visible; but I do think it monstrously unjust that people possessed of such a variety of property should not contribute in proportion to that property to this national charge. And it is very unfortunate indeed that a large class of that expenditure which cannot be increased by bad judgment, jobbery, or maladministration, cannot be fixed on the property of the country; for it seems to me that the same principle which casts these charges on the common fund of the metropolis points also to the Consolidated Fund. I do not complain of the reasoning of the right hon. Gentleman—I hail it with some satisfaction, but that is the way of carrying out this very legitimate principle to its proper consequences. I do not express that opinion for the first time. I was acting on the original Committee appointed to inquire into the Poor Law, and I was struck in that inquiry by seeing the extraordinary unfairness in which the charge for the poor fell in different parts of the country, and on different persons, and the vast number who were totally exempt from a charge which is national, and ought to fall on every man with the means of contributing to it. This shows the importance that ought to be attached to the measure now before us. Certainly, I should be the last person, seeing what a fortunate and happy commencement of a better system this Bill offers to the country, to throw any impediment in its way. Though I certainly will not offer the smallest opposition to the principle of the Bill, and though I should hope it may be carried for the sake of the great consequences I see likely to flow from it, I think the right hon. Gentleman must expect to meet with some, I will not say opposition, but some questioning as to the manner in which he has applied his principle. It seems to me that application is hardly sufficient. Considering the admissions he has made, I hardly think his principles are fully carried out by the Bill he has introduced. So far as I understood him—I certainly was not present when he delivered it, but I have read his speech in the newspapers—I collected that he was going to cast the sick poor of the metropolis on the property of the metropolis. In looking at the Bill, I find there are exceptions to be made in that respect, and he will, I think, be required to state his reasons for drawing the line where he has as to the class of sick to be supported by the common fund and those still to be a local charge. As I understand, all the sick that are to be charged upon the general fund are those who are visited with scarlet fever, with small pox, and madness. All other sick are to be supported by the local fund. Now, I cannot quite understand the reason of this. I think it a very fair thing to say that this class will not stimulate diseases in that category for the purpose of getting on the general fund. I believe I am right in saying that the right hon. Gentleman intends to erect asylums for particular diseases. Acting on the principle of separating the sick from the other paupers, he intends to place them in asylums or infirmaries he is to build, and these are to be the receptacles of people afflicted with those painful maladies. Then, I want him to tell me why if persons with scarlet fever, small pox, and madness are to be placed in these infirmaries and thrown on the common fund—those with cancers, siphilis, and bronchitis are not to go on the general fund. Surely these diseases would not be simulated any more than fever or small pox. Indeed, I cannot understand why the sick in general in the workhouses should not be placed on the general fund. If they are maintained as sick in the infirmaries, why should they not be transferred to the general fund? Then, looking to the great conclusion we have come to from the inquiries we have made, I do not quite see that the guardians are exactly the persons to be placed at the head of medical establishments. The general belief that has hitherto existed is, that because guardians took one view and the doctors another as to what might be necessary for the treatment of their patients, the guardians, considering it to be their duty to their constituents to curtail the expenditure, the poor, in consequence of this difference of opinion, have not been properly treated, and the regulations of the Poor Law Board, which required harmonious action between the guardians and doctors, have not been successful. The doctors have called for more ventilation, more attendants, and some change in the structure of the house, but they have met with refusal from the guardians on the ground of expense—not because the guardians do not appreciate the present requirements for the treatment of the sick—not because they are chargeable with any want of humanity, but because they are persons whose previous experience and sense of duty lead them to look rather to expenditure than the importance of sanitary regulations, and object to what the doctors require on the score of increased expense. The doctors go on remonstrating, but the places remain ill-ventilated, the attendance is insufficient, and the consequence is that disclosures take place. Under these circumstances, I cannot but draw the conclusion that these poor people should be treated as in hospitals, and superintended by persons whose interests may not be at variance with their proper treatment. Having seen so much as to the incompetence of the guardians superintending medical establishments, I do not quite understand why the right hon. Gentleman, in providing these establishments, should place guardians at their head. Is not this tantamount to the continuance of the system which has already failed? It is true the right hon. Gentleman proposes to prevent them from repeating the mischief they have already done by associating nominees of his own with them in the proportion of one-third. Their qualification for the office is to be rateable value. That is certainly a questionable qualification for persons who are to have the superintendence of medical establishments, and I should rather have thought that the best persons to associate with the guardians would have been persons who would have lost something if they did not properly discharge their duties. What we want is competency in those appointed to this office—persons who feel themselves bound to fulfil the duties imposed on them, and for which they should be properly remunerated. I hope the right hon. Gentleman will direct his attention to this point, because, as far as I have heard, some of the criticisms on his Bill are very much founded on the question of nominees. With respect to the provision for the better treatment of the sick poor, I must say that it will certainly be incomplete if we do not deal with that portion of the case which is not much mentioned in the Bill, but which, perhaps, is more important than any other—I mean the treatment of the outdoor poor. They exceed the indoor sick poor, and, of course, if their cases are not properly attended to, the spread of illness is much more likely to occur than in the case of the indoor sick. The outdoor cases of acute disease are more numerous than the chronic cases, and this again shows the necessity for dealing with this point, as these poor people are even more dangerous to the public health than those within the union. Consequently, one regards with interest the provisions of the Bill which proposes to establish dispensaries. I think that the right hon. Gentleman said that he took the idea of establishing them from the experience of similar institutions in Ireland, and certainly it meets to a certain extent the case of the outdoor poor. At present nobody knows how they are treated, or what becomes of them; whereas, in the case of deaths occurring among the indoor sick, very often a coroner's inquest is held, and great sensation is produced. As far as I understand, there will be with the establishment of these dispensaries more attention paid by the medical officers to the outdoor sick, care will be taken that proper medicines are administered, the prescriptions are to be written by the medical men, and, I presume, recorded. That is, no doubt, a great improvement, and I hope the right hon. Gentleman has, as far as necessary, inquired into the case of some dispensaries at present existing, because it is said that great frauds exist, and that a great number of persons not entitled to be relieved at the public expense, yet obtain medical relief at the cost of the country. The statement of the right hon. Gentleman with regard to the assistance he received in providing for this system very strongly recommended it to me, because I have such confidence in the acuteness and industry of the gentleman whom he consulted, and who went to Ireland, that I am sure the whole matter has been carefully considered. All I can say is that I think this part of the Bill introduces a most substantial improvement in the present system. What is not so easy to understand at present is why the expense of these dispensaries, and of all the persons relieved by them, though they may be persons without any specific maladies, is to be cast on the common fund, while the general indoor sick are thrown upon the local fund. If a medical officer should think more nutritious diet was required by a patient, the expense would be cast upon the union; but if he thought medicine was necessary, then the charge would be borne by the general fund. Why should there be a difference in dealing with the relief given, in mutton or medicine? There seems something like capriciousness in this arrangement, and it appears to me that the charge for persons applying to the dispensaries might be thrown on the local fund. There will, however, be an opportunity of discussing these various matters in Committee, and I admit that nothing can be better than the purposes and principle of the Bill, if thoroughly carried out. In the last clause there is a provision which ought long since to have been established, and which ought to be more extended, for I am favourable to the extension of the authority of the Poor Law Board. The clause I refer to provides that, in case of an asylum or dispensary, or Board of Guardians failing on the requisition of the Poor Law Board to appoint to a vacancy any officer whom they are by law required to appoint, the Poor Law Board may nominate a fit person to be such officer. I am sorry, however, since the right hon. Gentleman has looked to the practice of Ireland, that he has not gone further, and adopted another provision to the effect that, in case the local authorities refuse to carry out the regulations of the Poor Law Board, the latter shall have the power of superseding them, and of appointing an officer of their own to administer the law in the place of those local authorities. I am informed that it has very rarely happened that the guardians in Ireland, who know that such a power exists, have refused to carry out the regulations of the Central Commission. I think a similar power ought to be possessed by the Poor Law Board in this country. At present there is a divided jurisdiction. There is the power technically given by the Poor Law Act to the Poor Law Board, and yet there exist no practical means of enforcing it. The Poor Law Board is very apt to be blamed for matters in respect to which that Board has practically no authority over the local Boards. If there is to be a central authority with responsibility it should not be allowed to be trifled with by the local authorities. The Board ought to have larger powers, and be fixed with the responsibility which attends the exercise of them. This question ought now to be decided, for at present it is most difficult to know who is in some cases to blame. It is said the time had come when the Board should be made a permanent establishment, but that will not be sufficient unless it is invested with sufficient power. The right hon. Gentleman proposes to some extent to increase the power of the Board, and I shall certainly support that part of the Bill—the only question with me is whether he has gone far enough. The Board ought to be responsible for the manner in which the poor are treated, and I believe they are better treated where the regulations of the Board have been fully carried out. This is a point which I trust the right hon. Gentleman will consider.

Mr. Alderman SALOMONS said, that as the representative of a large and populous metropolitan district, he had to express his satisfaction at the improvement effected by the Bill in respect to the distribution of burdens connected with the relief of the poor, but he wished the improvement had been carried still further. He would direct the attention of the right hon. Gentleman to the propriety of making large public establishments, such as existed in Greenwich, Woolwich, and Deptford —in which parishes there was now great distress—contribute their fair proportion towards the expense for the relief of the poor.

Mr. AYRTON said, that he fully appreciated the labours of the right hon. Gentleman who recently addressed the House (Mr. C. P. Villiers). He presided three years over the Committee which had brought out in evidence the full operations of Poor Law administration, and had passed the measure for union chargeability, which was in fact the foundation of this Bill, therefore the right hon. Gentleman need not defend his Poor Law administration against imaginary charges. He was sorry that the right hon. Gentleman thought that the present Bill was likely to lead the House into entertaining a proposal for a national poor rate. Whatever principle of charge might be adopted for the relief of the poor, the metropolis would have to be made an exception; and the reason why the Report of the Committee was so general was that those who took an interest in the matter were not prepared, and did not desire, to submit a definite scheme for the metropolis. They thought it better that there should be a distinct recognition of the broad principle, and that it should be left to the Poor Law Board to develop the principle in details as time and circumstances would permit. The Committee, however, did recommend that the charge for casual poor should be thrown on the whole metropolis; but that decision was come to under the pressure of then recent circumstances. The right hon. Gentleman the President of the Poor Law Board had heard some criticisms upon his Bill, and he saw that there was a general concurrence of opinion upon two points—as to the charge for inmates of asylums upon the general fund, and the manner in which the common fund should be raised and administered. If it were right to impose on the common fund the charge for the maintenance of asylums, it would be equally right to put upon it the charge for their erection; and that view seemed so reasonable that on re-consideration he believed the right hon. Gentleman (Mr. G. Hardy) would be disposed to adopt it. If any justification were needed for the introduction of a limited Bill, it was to be found in the speech just delivered, in the statement that there was an amount of antagonism to the Poor Law Board which rendered it difficult for the President to adopt a vigorous course. No doubt, the right hon. Gentleman had deferred to some extent to the traditions of the office; but traditions must give way, and the President must not be alarmed by the long words "centralization" and "equalization," abstract terms which were used with very different meanings. In raising a common fund the great point was to consider how it could be usefully, economically, and efficiently administered. When it was proposed that the casual poor should be a charge on the whole metropolis it was also proposed that, instead of being raised by a Metropolitan Board and administered by guardians, it should be raised and administered by one authority, so that there might be uniformity in the relief and treatment. But a traditional measure was passed, and the guardians had been allowed to trifle with the question of the relief of the casual poor, which was one of great practical importance, and which required to be dealt with on large considerations and general principles. Guided by the experience which had been gained, let the right hon. Gentleman consider the objections to the form of his Bill, and see if he could not simplify it and provide for a more efficient administration of the fund. The Bill dealt with a great question of justice between the different parts of the metropolis, and it was the duty of the right hon. Gentleman to hold the scales and to ask for the decision of the House. The right hon. Gentleman the Member for Wolverhampton had gone far beyond his (Mr. Ayrton's) expectations, and with his assistance the President of the Poor Law Board could have no hesitation in dealing with the difficulties which surrounded this serious question.

MR. GATHORNE HARDY: Sir, I tender my best thanks to the hon. Members who have taken part in this discussion for the courteous, kind, and generous manner in which they have received the Bill. They have given me credit for laying down a principle which may lead to a satisfactory solution of a great difficulty, and I feel certain that with the assistance of the House we shall succeed in carrying a Bill which shall alter and materially improve the management of the workhouses of the metropolis. I make no complaint of any speech delivered in the course of this debate; but I wish that the right hon. Gentleman the Member for Wolverhampton (Mr. C. P. Villiers) had been here when I first addressed the House upon this subject; for from the report of my speech, or from something he may have heard from others, he seems to have misconceived its spirit and misinterpreted its intentions. I sedulously abstained from reflecting upon anything that had been done in past times by the Poor Law Board, or upon the conduct of the Committee who sat upon the subject of Poor Relief under his Presidency. On the contrary, I gave the highest credit to the Committee for the manner in which it had conducted its investigations; and upon the result of its inquiries as laid down in its Resolutions, I founded some of the main provisions of my Bill. I therefore heard with surprise the answer which the right hon. Gentleman made to the supposed attack upon his administration and the Committee, because there was nothing like accusation in the language I used with reference to the one or the other. Sir, the question now before the House is a very simple one—it is whether or not you have come to the conclusion that the administration of the Poor Law in the metropolis —and I put the metropolis for this purpose separate from the rest of the country —is carried out in a manner which is just to those who find the funds, and merciful to those who receive relief, or whether it has not been both indoors and out of doors, conducted on a system which has been almost the reverse. The hon. Gentleman the Member for Finsbury (Mr. Alderman Lusk), who spoke in a temperate and good-humoured manner, said he would speak a good word for the guardians. I think he will do me the justice to admit that I abstained from saying anything against them. I feel their difficulties —I sympathize with them. At the same time, when gentlemen have come to me, as some of them have, and expressed themselves in the highest terms of their own capacity, and of the ability with which they have administered the workhouses and infirmaries committed to their charge, and when at that very moment I had lying on my table reports which were directly the reverse, I am obliged to say that the system has failed under their management, and must be improved. It is all very well for the right hon. Gentleman the Member for Wolverhampton to speak of the excellent rules and orders laid down by the Poor Law Board. I fully admit it. Upon turning my attention to the orders, and particularly the general consolidated orders, I must say they reflect the highest credit upon those who framed them. But it is not of the slightest use to make orders or lay down rules unless you are in a position to carry them out and enforce them if they are not complied with. It is of the utmost necessity that any Board, and above all the Poor Law Board, should have eyes and ears multiplied; so multiplied, that day by day and hour by hour it may see and hear what is going on in the workhouses of this metropolis. The present mode of inspection does not suffice for the necessities of the case. Unless inspection is carried out with a firmness, minuteness, and care which it is impossible for one inspector to exhibit —unless there be some means found by which inspection can be supplied constantly and minutely, you will fail, whatever regulations you pass, or rules or orders you lay down. When you come to the guardians, you find among them men of intelligence, kindness, and a desire to do well; but not understanding fully the business they have taken in hand, being engaged in business of another kind, and not having an appreciation of the difficulties with which they have to cope, they fail in what they have undertaken to carry out. I do not believe they are unmanageable bodies if sufficient power is given to those who have to rule and regulate them. I am bound to say that when treated with firmness, combined with conciliation and a desire to do them justice, they are in most cases ready to yield to the wishes of the Board. There are instances, however, not so much of steady resistance as of what is worse than resistance—of considering, of continually deferring, of putting off, of hoping that something will turn up which will save them from the necessity of complying. These are the Boards of Guardians which are most troublesome, because if they resisted you could coerce them, but while they are considering you can do nothing. These are the people most difficult to manage, and they are what I believe to be among the most recalcitrant bodies in the whole metropolis. And that brings me to the part that has been taken in this debate by the hon. Members for Marylebone. These hon. Gentlemen represent two great parishes governed by guardians who are elected by vestries. But while I can speak well to a certain extent of one of those parishes, the other, as hon. Gentlemen may have seen from accounts in the public press, has not done well. In that parish there has been a failure. Their management has broken down, and their workhouse has not been carried on in the way they claim to have conducted it, because they have not been able to look minutely into the business which they have taken in hand. With respect to these local Boards, I was very glad to hear my gallant Friend (Colonel Hogg) state that his parish, St. George's, Hanover Square, would not oppose the clause which I propose directed against their local Acts. These local Acts have been among the greatest impediments with which the Poor Law Board have to contend. The Board has constantly been liable to be tripped up in Courts of Law, for if a notice were sent to the directors it was held that it ought to have been sent to the vestry, and *vice versâ.* Everything went wrong in consequence of this double government. I cannot, therefore, consent to the representations of the hon. Members for Marylebone on that point. The right hon. Gentleman opposite (Mr. Villiers) spoke of something which had fallen from me on a former occasion with reference to my shrinking from collision with the guardians last autumn. The time was not then ripe for collision. The inspectors were working almost day and night in examining the entire management and discipline of workhouses, and the number of visits they had to make was very large. Hon. Members, indeed, are hardly aware what enormous establishments they are, some of them more like small towns than institutions which can be looked over in a cursory way. In St. Pancras Workhouse, for instance, there are more than 2,000 persons, and to make a minute investigation into the treatment of each class of inmates requires great acumen and intelligence—qualities which I am bound to say the inspectors have shown—in order to frame their reports so that the guardians might fully understand what improvements were required. That investigation was going on from the time I entered office. It would have been unwise if I had, at the moment when Parliament was about to meet, come into collision with the Boards of Guardians instead of coming to the House and saying, "I am willing to be responsible for the condition of the workhouses, if I have, and only if I have, power to enforce obedience to any orders I may issue." Unless this be done the responsibility of the Poor Law Board must be a myth, and their interference with Boards of Guardians useless. I do not wish to detain the House after so long a discussion, which has not, however, been upon the principle of the Bill. I do not pretend that the measure is a perfect one, and in the interval between the second reading and the Committee I shall direct my attention to those points to which hon. Members have referred, and see to what extent I can meet their views and adopt their suggestions. There are, however, certain misapprehensions which I think it well at once to correct. The right hon. Gentleman opposite, speaking of the proposed dispensaries, and warning me of the frauds which have been committed in Ireland, has objected to a distinction which he thinks is proposed in the Bill between the indoor and outdoor sick, and he asks why the former as well as the latter should not be charged to the common fund. I propose to charge on the common fund the salaries of the medical officers of workhouses, as well as of nurses and other officials, and the cost of drugs, so that, as far as medical relief and management are concerned, no difference is made between the indoor and the outdoor sick. The right hon. Gentleman, however, asks why I do not charge all the sick on the common fund, instead of cases of fever, small pox, and lunacy only. I explained this point on a former occasion; but as the right hon. Gentleman and also the hon. Baronet (Sir Harry Verney) have adverted to it, the House will allow me to repeat what I then said. I am unable to distinguish in principle the outdoor sick from the indoor sick; those who are not necessarily transferred to the hospitals from those who are in the infirmaries. For that reason I thought it advisable to take only those classes of disease which could clearly be separated from the rest, and which affected the health of the whole metropolis—namely, fever and small pox. The hon. Baronet will, I am sure, admit that these classes ought to be treated separately from other patients, in order to prevent the spread of fever and small pox throughout the metropolis. I propose, therefore, to charge these upon the common fund, and to make the hospitals for their reception common to the whole metropolis. As to lunatics the noble Lord (Viscount Enfield) has asked me what distinction there is between the asylums proposed in this Bill and the county asylums. The distinction is one with which the Commissioners in Lunacy are quite familiar. The lunatics detained in workhouses are perfectly inoffensive, and require none of the restraints nor the luxuries and advantages which are provided for the other and more dangerous class in county asylums. The asylums for lunatics and the hospitals for fever and small pox being placed upon the common fund, it will be necessary to have a Central Board to manage them. The hon. and learned Member for Southwark (Mr. Locke) urged that the expenses of these buildings should be thrown on the whole metropolis, and I may tell him that this will be done, because it is for the public advantage that if a hospital in one part is full patients should be transferred to another. All these buildings, therefore, will be charged on the metropolitan rate. With respect to the number of different Boards which will be created under this Bill, and on which much remark has been made, I admit that this has been one of the difficulties that have dwelt in my own mind. What, however, does the fact of the existence of these several Boards amount to? Take the case of the dispensaries. There will be a dispensary committee composed of guardians, who in almost all instances will manage their affairs. Suppose that five parishes or unions are united for all purposes, though that is not at all a necessary thing, because under the Bill there may be districts for one purpose and not for another, just as is already the case with district schools. I may remark here that nothing has worked so well as the district school committees, the guardians having elected persons who take a deep interest in the schools, and who, being elected for three years, are able to give new members all the advantage of their information and experience. The guardians generally, indeed, take a great pride and interest in these schools, though in some points they are still open to improvement. But supposing, I say, a case where there are five workhouses; one of them, perhaps, may serve admirably for a hospital for the sick, another may be suited for the infirm, and another for able-bodied paupers, with every appliance for making it what the workhouse system was originally intended to be—namely, a deterrent system, so that able-bodied persons should shrink from applying for admission unless they were really compelled to do so. You might also separate the sexes, and separate the moral from the immoral. What I desire by this arrangement is to utilize in every possible way existing materials, and to make the most of the appliances we already have in hand, so as not to incur needless expense in building establishments which, though they would be on a much grander scale, and would be much more striking in appearance, would be no more efficient than existing erections. This brings me to the question of expense, and I wish the House to bear in mind that, even if this Bill had not been introduced, a considerable outlay would still have been made, because certain workhouses required additional space, and many of them had already plans for enlargement in hand. They were called on to enlarge the buildings they at present have, and I thought that for me, or whoever might be in my place, it would be an object to economize as much as possible. This is a practical matter, and if with the guidance of the scientific gentlemen whom I have selected, and the assistance of the inspectors who have given me such valuable aid, I can arrive at the same result by utilizing the present workhouses, I feel that I shall be carrying out what I am sure are the intentions of this House—namely, that there should be no unnecessary expenditure, at the same time that every justice should be done to the poor. One word as to the nominees. I have said that I felt deeply and strongly that you never can have an efficient system of relief for the poor unless you have a system of inspection. I am still of that opinion. I have fixed the number of nominees whom the Poor Law Board may appoint at one-third that of the elected guardians, but that is not because I contemplate that there shall be that number in all cases. Neither do I make this proposition with any intention that the Poor Law or the nominated guardians should come into collision with the general body of the guardians. The object is to make some persons responsible who might be volunteers, and who could be removed if they did not discharge the duty which they had undertaken. There are persons in the metropolis—an abundance of them—who would willingly volunteer for this duty. I have been blamed because I did not bring in a Bill to enforce the performance of the duties which would be undertaken by volunteers; but if I can secure by this Bill men of influence and also of mind and heart—men who from their exertions in connection with Societies for the relief of destitution, I find taking the deepest interest in the poor, not only without payment, but guaranteeing the whole expenses of those Societies, and not letting a penny go into the pocket of any one but those for whom the money has been subscribed—I feel that if I can secure the services of such men, they may do an enormous amount of good. But, to enable them to do it we must be in a position to say to them, "You have a right to go in and see every poor person; no one can stand in your way; no Board of Guardians can say (as has been the case in some instances), 'You have given information we don't like, and we will have you in this workhouse no more.'" Let us have persons to whom no such thing as that can be said by any Board of Guardians—persons who will have responsibilities towards the Poor Law Board, persons who will enter into some undertaking to do the duties imposed on them by the Poor Law Board. With respect to the ratepaying value I may observe that as far as my Department is concerned I do not care whether the nominated guardians pay a farthing of rates; but if I had not inserted the £100 qualification it would have been said, "You are putting persons on the Board of a lower qualification than that possessed by the elected members. You ought to have inserted a provision that they should be rated at a high sum." My own belief is that you could find persons in the metropolis not rated at all who would do those duties most efficiently; and if this House should think fit to strike out this £100 qualification condition, and leave the nomination to the Poor Law Board, they could not gratify me more than by so doing. In reply to the observations of the right hon. Gentleman, that I have laid down a principle which tends towards a national rate, [Mr. C. P. VILLIERS: No!] I must say that I object very strongly to having a mere verbally logical view cast upon everything proposed in the House. A deputation of gentlemen waited on me yesterday. They declared that I was one of the most revolutionary persons who had appeared in public life for a long time. They said I was trying to subvert everything, including local government. What will they say when they read the speech of the right hon. Gentleman? The right hon. Gentleman says that in preserving so much of local government as I do I fail to secure the poor against the recurrence of evils now complained of. I submit that in this House we must legislate practically. I knew that if I had come to this House with the strongest possible opinions on the subject—and I confess I have not those strong opinions — if I had arrived at the conclusion that the rates of the whole of the metropolis should be equalized, I should have been met with an opposition which would have defeated any Bill which I might have brought in. I am certain of that from communications I have had with hon. Gentlemen within the House, and from others without. It has been said by many of them, "I should have opposed you if you had brought in a Bill for equalizing the rates over the whole metropolis; but you have only gone the extent of charging on the common fund expenditure in which there can be no jobbing, and thus a check is provided." Had the Bill been of a more wholesale character, instead of the few holes that have been picked in it, there would have been seventy-eight holes, the number of the clauses. Great stress has been laid on the evils which will result from placing those charges on the common fund, owing to there being no system of uniform valuation in the metropolis. I feel that point, and consequently I have endeavoured to meet the difficulty by Clause 62—

> "The Poor Law Board shall from time to time assess on the several unions and parishes in the metropolis the amounts of their respective contributions to the Common Poor Fund in proportion to the annual rateable value of the property therein comprised, to be determined according to the valuation lists, or, where there are none, according to the latest poor rate for the time being for the union or parish, or otherwise, as the Poor Law Board from time to time direct."

It is quite true that we do not always know on what system a union or parish is assessed for Poor Law purposes; but the assessments for the Metropolitan Board and for the police rate we know are on the best available basis; and the Poor Law Board, in making an assessment, will be able to do as is done in counties. Though the assessments in the various unions of a county may be on different systems, the counties levy a rate on their own assessment, which is made on a uniform system throughout the whole county. So far, therefore, as it can be done, we have endeavoured to meet that objection by a clause in the Bill; but I propose to do more. My hon. Friend the Secretary for the Treasury (Mr. Hunt) has brought in a Bill to provide a uniform scheme of assessment for the whole country, with the exception of the metropolis. I will wait to see what is done with that Bill; but I have sketched a Bill for the metropolis, which I propose to introduce if my hon. Friend's should receive the sanction of Parliament. By the Bill to which I refer I propose that for Imperial taxation and all rates the metropolis shall be uniformly assessed. I have now only to repeat my thanks to the House for the reception given to the measure under discussion. I ask them to examine it in no hostile spirit—indeed, I know they will not —but to regard it as what it purports to be, a Bill introduced for the better management of the indoor poor of the metropolis, and for affording assistance to the outdoor poor also. If they approach it in the spirit which they have shown on its introduction and during the debate on the second reading, I, for my part, will be ready to receive any suggestion which may be put forward for its amendment. Should I be so fortunate as to receive the assistance of the House in that spirit when we go into Committee on this day fortnight, I have little doubt that our united efforts will bring the matter to a successful issue.

Motion *agreed to*.

Bill read a second time, and *committed* for *Thursday*, 7th *March*.

DUTY ON DOGS BILL—[BILL 36.]

(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer.*)

SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hunt.*)

MR. ALDERMAN LUSK said, he hoped it was intended to enforce in every case the payment of the Excise licence of 5*s*. Dogs in towns were, for the most part, a very great nuisance. In every town there were a number of people who could not keep themselves, yet who kept a dog, and who at present evaded the duty. Many cases had come before him as a magistrate in which the dogs of such persons had bitten poor children, and he only regretted that the owners belonged to a class who could not be made to give compensation. Only a little while ago the child of a poor widow had come before him with a badly lacerated leg, the result of the bite of a dog. If the new duty of *5s.* were rigidly enforced in every case, it would be a great protection to the poor.

MR. BARROW hoped there would be no exemption in the case of puppies.

MR. READ said, he was gratified to elicit from the Secretary to the Treasury the other night that no exemption would be allowed. The farmers were quite willing to give up the exemption they at present enjoyed for shepherds' dogs. He was only sorrow that ladies' lap-dogs and sporting dogs were to be kept at the same rate as the more useful class of shepherds' dogs and rat-catchers' dogs.

Motion *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

RAILWAY DEBENTURE HOLDERS BILL.

(*Mr. Watkin, Mr. Alderman Salomons, Mr. Laing.*)

[BILL 20.] SECOND READING.

Order for Second Reading read.

MR. WATKIN, in moving the second reading of this Bill, repeated the explanation of the circumstances which had rendered it necessary which he made when he introduced it; and stated that it was with his consent about to be referred to a Select Committee. The question was whether they ought not to remove the alarm and difficulty which now existed in regard to debentures, upon which the welfare of so important a branch of the carrying trade depended. It might be said that the proposed measure was bad for the shareholders. That while £450,000,000 were invested in railways, the debenture-debt only amounted to £120,000,000; therefore, it was unfair to legislate in favour of the debenture-holders as against the shareholders. They might, however, remember that the debentures were the core of the railway system, and whatever made the security of the debentures more perfect would enable the companies to borrow at a less amount of interest, and therefore leave a larger amount of money to divide among both the preference and ordinary shareholders. At present a mortgage was given to the debenture-holders on what was termed the general undertaking, and tolls, which meant the fixed property and the tolls. This Bill would also give them a lien on the engines, carriages, and plant movable and immovable, of the company. It would not have any retrospective action, and would, therefore, not affect existing engagements, applying only to the debentures issued after its passing. It might be said that by passing the Bill they would prevent the railway companies who chose to do so from borrowing upon the present security, but he had no objection to insert a clause in Committee to enable the companies to do so. Thus the power would be optional, though he had no doubt it would be universally availed of. On the other hand, if any company wished to make its securities perfect, surely the House ought not to refuse facilities for such a purpose. With regard to the objection that they would deprive the trade creditor of his security, he denied that that was so; but even if it did affect his security he contended that inasmuch as the bulk of the revenue was received in cash, railway companies ought to pay cash for stores, materials, and labour, and not get into debt on their account. There was, however, in fact, a large amount of property left untouched by the Bill which could be seized for trade debts, such as surplus lands and a mass of floating property not absolutely required for the working of the line. There were three classes of claims specially excepted from the operation of the Bill—rates and taxes, compensation for personal injuries, and for loss and damage to property in transitu, and chief rents recoverable by distress. The measure had been submitted to and approved by the highest authorities of the London and North Western, the Midland, the South Eastern, and other railway companies, and also to a noble Lord in "another place" who had given railway questions his especial attention in Parliament, and who considered the measure well worthy the attention of the House, and that its principle was sound. He denied that he had introduced the Bill because he was connected with certain railways, and was anxious to get them out of their difficulties. In point of fact, the capital of the whole of the railway companies in difficulties did not amount to more than £24,000,000, and the debentures to £6,600,000, or about 4½ per cent of the whole capital so invested; and if they excepted the London, Chatham, and Dover, which had introduced a special Bill of its own, the proportion of the capital of railways in difficulty would be reduced to 1½ per cent of the whole. In reference to the complaint that the established railway companies had laid out more capital than they ought to have done, he would simply observe that the returns to the twelve principal railway companies on the increased capital laid out during six years past amounted to no less than 6¾ per cent per annum, which he contended was a perfect justification on their part. He thought that, considering the class of people who held railway debentures, and the alarm felt by them on the subject, the House ought to support a measure which would put this class of security, good as even at present in most cases it was, on a footing of undeniable and unchallengable security and safety.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Watkin.*)

Mr. GOLDNEY pointed out that the third clause of the Bill gave debenture-holders an unwarrantable advantage over all other creditors of a railway company, with the single exception of the tax-gatherer. He could imagine the case of a contractor engaged in constructing a line and desiring payment when the line was finished, but if the railway company had issued debentures the contractor would be unable to put in an execution for payment. The contractor for casual repairs, too, would be in the same predicament under similar circumstances. Instead, then, of calling the measure a Railway Debenture Holders' Bill, he thought it would be more properly described by the title Railway Companies Creditors' Defiance Bill. Hitherto the Legislature had endeavoured to protect such of the public as were creditors against railway companies, but this Bill proposed to remove such protection and nullify all past legislation in this respect.

Mr. AYRTON pointed out that passing the Bill in its present state would be attended with several peculiar consequences. He regretted that the Law Officers of the Crown were not present to give the House the benefit of their experience in considering this complicated legal question. There was no misapprehension on the part of Parliament in its railway legislation. It was competent to make a permanent mortgage of landed estate, and a railway was landed estate earning money by tolls, which afforded the permanent security when a mortgage was made. But one could not well mortgage permanently a fluctuating property. The Bill proposed to add to the legal mortgage of the land estate all the personal property that might happen to be upon it, but if the change were adopted a railway company would not be able to deal with property with a view of taking it off the land. The effect of this would be to place railways in a position of great embarrassment, for that would destroy their credit. He hoped the President of the Board of Trade would consider this Bill on the part of the public, and that the Law Officers would take care that it should have a due regard to the protection of the public interests. He hoped it would be understood that the House in reading the Bill a second time did not thereby assent to the principle of the Bill, but only read it a second time as a matter of form, as they were not yet sufficiently advised as to the measure.

Mr. Alderman SALOMONS admitted that the Bill as it at present stood was crude, but in the interest of capitalists and others who had invested their money in railways as well as in the interests of the travelling public, he assented to the principle that the plant ought not to be removed. The credit of the company would be best maintained, and the convenience of the public insured, by keeping the rolling stock upon the line, and that was the best security for the debenture-holders, who were the first mortgagees.

Mr. CHILDERS said, he thought the thanks of the House were due to the hon. Member for Stockport (Mr. Watkin) for introducing the Bill, and on the understanding that it was to go to a Select Committee, and that they were not pledged to any of its details, he hoped the House would pass the second reading. The hon. Member was not quite accurate, he thought, in some of his statements. It was true that at present a debenture-holder could only come in, as such, through a receiver, but, as a creditor of the company for the amount represented by his bond, he could get judgment and seize the rolling-stock. The general principle the hon. Member had laid down was a sound one—namely, that it was very much against the public convenience that the rolling-stock of the company should be liable, as now, to be taken in execution by individual creditors, whether for works, supplies, or debentures, thereby destroying the reasonable security of the debenture-holder, who was the first creditor. But the great cause of all the mischief about railway securities was the legislation of Parliament itself. We had merely copied the provisions of the old

Canal Bills, without noticing the difference between the securities they issued and those of railways; and without weighing the consequence of so large an amount of permanent works being provided by a floating instead of a fixed debt. Under Canal Bills the loans raised were precisely like mortgages of any other landed estates, and were usually for seven or fourteen years, and the total amount was small. Under Railway Bills altogether £120,000,000 had been taken from the floating capital of the country under much shorter dated securities, which were not mortgages in the usual sense, and could not even be held by many trustees. The result of this had been that in times of pressure, and when doubts arose as to the security of debentures, large claims were made upon the companies on account of these loans, and though they might be in a solvent condition, they were placed in considerable financial embarrassment. France had adopted a much wiser course in this respect, making the loan capital of its railways raised for very long terms, and redeemable by a sinking fund. He thought that the great mistake had been to prescribe in what way companies should raise their money. We had laid down rules derived from the obsolete legislation of last century; whereas, if our railway companies had been allowed to raise their capital as they chose under the provisions of the Joint Stock Acts much of the present difficulty might have been obviated; at least, no one would have been responsible for it but themselves. One great source of mischief was that railway companies which had found themselves in an unsatisfactory position in raising their capital had, as it was called, "financed" their income, and attempted to apply their current income to capital charges; and he would suggest whether it might not be desirable in some way to compel railway companies in future to keep their capital and income monies separate. In recent debates much had been said about the defective accounts of great national establishments, and he could not help now observing it might also be found that there were weak points in the accounts of great railway companies.

MR. LAING, as the Bill was to be referred to a Select Committee, wished merely to confirm what had been said as to the extent to which Parliament was responsible for the state of things which had arisen with reference to railway debentures. The present difficulty was mainly owing to a mistaken view taken by Parliament originally on the introduction of railways, as to the nature of railway property. It then thought that a railway, like a canal or a turnpike road, was to be open to all the world; that the company was not to have a monopoly of the carrying business, but that everybody might bring their own engines and carriages on to the line, and run them along it, on condition that they paid the company certain tolls for the privilege. The Legislature gave in that case on the tolls what it then considered to be as good security as a mortgage on a landed estate. That view had since, however, turned out to be entirely erroneous, and he had no hesitation in stating that, if the present state of things had been known to Parliament when it originally dealt with the subject, the mortgages in question would have been made to cover not only the line of railway and the tolls, but also the rolling stock. The cardinal policy of Parliament, indeed, he thought, had been to make the debenture capital of railways a secure investment, because it went out of its way to impose restrictions on the amount of such capital which could be raised. He could also corroborate the statement that the other restrictions which had been imposed on railway companies in the issue of debentures furnished the main reason why the Continental system—which would have placed the debenture-debt on a much sounder footing—had not been adopted in this country. That system consisted in issuing debentures at long dates with a sinking fund to redeem them, and it was a mode of proceeding which was the safest for all the parties concerned. It was a mode of proceeding, however, which legislation in this country prevented, and we therefore stood in the position of having £120,000,000 of property which had been held out by Parliament as being a security in which trust funds might be invested, while it now, after the lapse of several years, appeared that the legal effect of that security was not what Parliament had contemplated. Such was the pass to which things had been brought by an unexpected legal decision, and it was, he thought, but a simple matter of good faith that all parties should be placed in the position in which they believed they stood when the money was advanced. To the fact that the recent decision, however good it might be in point of law, was totally unexpected he could bear the strongest testimony, but the question was one in dealing with which the public interests must be looked to, and their interest, he maintained, clearly demanded that a railway should by no possibility be shut up by the severance from it of the rolling-stock. That principle the right hon. Gentleman the President of the Board of Trade had very properly laid down a few evenings before, and if the rolling-stock and the line were to go together it would be equally for the advantage of the public and the debenture-holders. The only question then would be how the comparatively small class of other creditors was to be provided for? Tradesmen's bills for current expenses ought never, he contended, to be allowed to exceed two or three months' earnings of a railway, and it would, he thought, be bad policy to declare that £120,000,000 of property should be kept in jeopardy because some persons, with due warning and with their eyes open, chose to go beyond the legitimate credit of a company for its current expenses. That, however, was a point which might be considered in Committee, and it would, no doubt, be deemed right that those creditors also should be duly protected. He looked upon it as impossible, he might add, to overrate the importance of such a Bill as that before the House, because when interest to the amount of ½ or 1 per cent higher than ought to be paid according to the natural state of the money-market was charged on the large sum involved in debentures, it became of the utmost consequence to take care that railways which were now solvent might not fall into a position of insolvency. He hoped that the House would, under the circumstances, not hesitate to agree to the second reading of the Bill, and that it would without delay be referred to a Select Committee.

Sir STAFFORD NORTHCOTE said, he thought the discussion in which the House was engaged a very useful one, and expressed himself as perfectly convinced that hon. Members would act wisely in following the advice with respect to the passing of the Bill which had just been given. He should not, he might add, attempt to argue with his hon. Friend (Mr. Laing) as to how far everybody had been taken by surprise by the recent decision to which he had adverted. He might, however, state that he had heard in several quarters that persons who had paid attention to the subject were quite prepared for the view of the law which was there laid down. There was little doubt, at the same time, that it was not in accordance with the popular impression, and he quite concurred with his hon. Friend in thinking that Parliament should support, as far as lay in its power, the credit of the great security which he mentioned. It was, in fact, impossible to overrate its importance, and he must express his sincere regret if he had said anything which would give rise to the impression that he held a contrary opinion. He could not, however, see that he had uttered a syllable or inserted a single provision in the Bill which was calculated to have that effect. He at the same time fully admitted that in a case like the present it was extremely difficult to control, or even to reason with, a feeling of panic, and that it was highly necessary that hon. Members should be very careful as to anything which might fall from them, or any course which they might take, affecting, or appearing to affect, the security of the debenture-holders. It was a sense of that responsibility which chiefly prompted him to agree to the course proposed of reading the Bill a second time and then referring it to a Select Committee. He thought it was of the utmost importance that the House should assert the principle laid down in the Bill—that rolling-stock should not be separated from the line—and he could not help feeling that in the present feverish state of the public mind in some quarters any attempt to oppose a measure of the kind might conduce to the spread of panic, and to create the impression that Parliament was not anxious to do everything it could to strengthen the position of debenture-holders. He thought, however, that they ought to legislate upon a subject of such delicacy with great care, and not to allow a Bill dealing only with one point to pass, under the impression that so crude a measure dealt with the whole question. He felt that he ought to inform the House of the views of the Government upon the subject. From the end of last Session, when the question was mooted in various forms in both Houses of Parliament, it was evident that the time was coming when some legislation must take place on the subject, with a view to the proper ascertainment of priorities amongst different classes of people interested. The chief point was to prevent any one class of creditors from injuring the public, and others who were interested in the property, by seizing the rolling-stock, and so stopping the working of the line. It was to prevent such an injury being committed that a noble Lord, who had already been referred to, introduced last year a Bill into the other House to prevent the seizure of rolling-stock. That Bill did not come down to this House. When the present Session opened, it appeared to the Government that it would be better to delay any proposals which they might think fit to make until they had seen the recommendations of the Royal Commission on Railways, the more so as there seemed to be no immediate necessity for legislation, because, as the hon. Member for Stockport (Mr. Watkin) had said, the debentures upon which the payment of interest had been suspended were insignificantly small, and it appeared impossible that the failure of so small a proportion, especially as the causes of the failure were so manifest, should in any way affect the debenture-holders generally. With regard to another question—that of providing proper machinery for winding-up companies when in a state of insolvency—the Government thought that immediate legislation was requisite, and he (Sir Stafford Northcote) had accordingly, a short time before, introduced a measure, the second reading of which had been postponed for a few days; but that measure had reference only to the case of railway companies which were unable to satisfy the holders of debentures. He was extremely sorry if, through any inadvertence on his part, he had done or said anything tending to alarm the holders of debentures. He could only assure the hon. Member that it was unintentional. He had postponed the second reading of the Bill in order that there might be the more time to consider the matter carefully, and to consult some Members who were interested in the management of railways, and he had every confident expectation that after the matters had been fully considered some arrangement might be arrived at by which that Bill or some other like it might be advantageously adopted. What we had to do was to prevent the stoppage of the traffic, and at the same time to secure the rights of all the creditors; for, though the debenture-holders formed a very important class, there were other classes of creditors whose claims had also to be considered. Upon such distinctions the Bill before the House did not, he thought, even attempt to touch. It might perhaps be decided in the Committee that it would be better to pass a Bill dealing with one class first and another afterwards; but, at all events, the Government thought, when they came to look into the Bill laid upon the table by the hon. Member, that it was not one which in its present condition could be advantageously discussed by the House, and that it would be far better to refer it to a Select Committee, by whom all its details would be carefully considered. In answer to an observation made by the hon. Member for the Tower Hamlets (Mr. Ayrton), in reference to the absence of the Law Advisers of the Crown, he might mention that the Attorney General, who was unavoidably absent, thoroughly concurred in the proposal, and had, moreover, expressed his perfect willingness to serve on any Committee that might be appointed. He (the Attorney General) thought it better that the whole question should be calmly and quietly considered in a Committee, and under the circumstances it was not necessary to detain him in the House at great personal inconvenience. He would be ready to co-operate with the hon. Member in his main object—namely, the keeping the line in work, and giving as good a security as possible to the debenture-holders. They ought, too, as far as possible, to consider whether the debenture-holder could not be protected from the carelessness of the directors themselves, for the want of confidence felt by the debenture-holders at the present time might possibly be attributable to other causes than the recent judgment of Lord Justice Cairns, or the speech which he himself had been unfortunate enough to make. He thought it might be desirable to consider all these matters in Committee. Personally, he should like to have awaited the Report of the Royal Commission; but that Report would, no doubt, be soon issued, and it was possible that some Member of that Commission might be willing to serve on the Committee. Whether that were so or not, they would, no doubt, receive from the Members of that Commission every assistance in coming to a decision; and he could only say that the Government themselves were most anxious to co-operate in promoting any measure which would be likely to secure the desired effect.

MR. WATKIN would only say, in explanation, that the reason why he did not include in the Bill some power of registration was because he did not wish to interfere with any measure which was likely to be brought in by the Government.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on February 25, Select Committee *nominated* as follows:—Sir **Stafford Northcote**, Mr. **Attorney General**, Mr. **Milner Gibson**, Mr. **Laing**, Mr. **Thomas Baring**, Mr. **Kirkman D. Hodgson**, Mr. **Graves**, Mr. **Crawford**, Mr. **Coleridge**, Mr. **Ayrton**, Mr. **Scourfield**, Sir **Frederick Heygate**, Mr. **Leeman**, Mr. **Goldney**, and Mr. **Watkin**:—Power to send for persons, papers, and records; Five to be the quorum.

CHURCH RATES REGULATION BILL.

On Motion of Mr. **Hubbard**, Bill for the Regulation of Church Rates, *ordered* to be brought in by Mr. **Hubbard** and Mr. **Beresford Hope**.

Bill *presented*, and read the first time. [Bill 42.]

LONDON COAL AND WINE DUTIES CONTINUANCE BILL.

Considered in Committee.

(In the Committee.)

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill for further continuing and appropriating the London Coal and Wine Duties.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. **Dodson**, Lord **John Manners**, and Mr. **Hunt**.

Bill *presented*, and read the first time. [Bill 43.]

LYON KING OF ARMS (SCOTLAND) BILL.

On Motion of Sir **Graham Montgomery**, Bill to regulate the Court and Office of the Lyon King of Arms in Scotland, and the emoluments of the Officers of the same, *ordered* to be brought in by Sir **Graham Montgomery**, Mr. Secretary **Walpole**, and Mr. **Hunt**.

Bill *presented*, and read the first time. [Bill 44.]

House adjourned at half after Eleven o'clock.

* * *

HOUSE OF LORDS,

Friday, February 22, 1867.

MINUTES.]—*Sat First in Parliament* — The Duke of Brandon after the Death of his Father.

Public Bills—*First Reading*—Tenure of Land (Ireland) (23).

Committee—British North America (9).

HER ROYAL HIGHNESS THE PRINCESS OF WALES.

ADDRESS TO HER MAJESTY.

The Earl of DERBY: My Lords, it will not be necessary for me to say more than a very few words in introducing the Motion of which I have given notice; for I am sure your Lordships need no inducement to adopt an Address to the Queen on the occasion of the happy confinement of the Princess of Wales, and the birth of a Princess. All who have the honour of knowing Her Majesty personally are aware that there is no stronger characteristic of Her Majesty than the deep affection she entertains for every member of Her family; and every addition to it is an event of the greatest interest to Her. I am also sure that anything which so much interests Her Majesty cannot but be deeply interesting to all who have the happiness of living under the sway of a Sovereign who, in the discharge of Her duty has excited and merited the devoted loyalty of Her subjects, and who, from Her personal character, has strengthened in no slight degree the institutions of this country. On the present occasion there is ground for a more than ordinary feeling of satisfaction, because the confinement of the Princess of Wales and the birth of a Princess have taken place under circumstances which led to no unreasonable anxiety and apprehension, though happily all apprehension has been dissipated by the event. The manner in which the Princess of Wales has conducted herself ever since she placed her foot on these shores has been such as to endear her to every person in the realm. I am sure your Lordships will join with me in an expression of satisfaction on the fact that the Princess of Wales has safely passed through her painful crisis, and in congratulating Her Majesty on the accession of another Princess.

Moved, That an humble Address be presented to Her Majesty, to congratulate Her Majesty on The Princess of Wales having happily given birth to a Princess, and to assure Her Majesty of the deep Interest felt by the House of Lords in all that concerns the domestic Happiness of Her Majesty and Her Family.—(*The Earl of Derby.*)

Earl RUSSELL: My Lords, we are all ready to congratulate Her Majesty on the birth of the Princess. I need not, therefore, say more than that I gladly second the Motion.

Agreed to, Nemine Dissentiente, and the said Address Ordered to be presented to Her Majesty by the Lords with White Staves.

TENURE OF LAND (IRELAND) BILL.

PRESENTED. FIRST READING.

THE MARQUESS OF CLANRICARDE, in calling the attention of their Lordships to the question of Land Tenure in Ireland, and presenting a Bill on the subject, said, the measure was only a repetition of one which he brought forward last year. He regretted to say that the lapse of time had not at all diminished the difficulty or the importance of the question. It might be considered presumption in him to tender fresh legislative proposals at that moment, bearing in mind that there were already on the table of the House of Commons four Bills relating to the question of landlord and tenant in Ireland; but he did not think there was anything in those measures, so far as their nature had yet transpired, which need prevent their Lordships from examining the land question as a whole for themselves. What he was about to propose in no way entered into competition with the Government Bill which related exclusively to the question of compensation for improvements made by the tenants. That subject was of great interest in itself, and was one that it was extremely important to deal with, because it had been made the pretext for the most absurd propositions and the most ridiculous claims. But the Bill he was about to introduce related to the larger question of the tenure of land. He need not enlarge upon the general subject, for it had been very ably discussed during the recess by a noble Friend of his (Lord Dufferin), a Member of that House, who in his letters had thoroughly investigated and explained it; by Lord Rosse, also, in a pamphlet familiar, he hoped, to the majority of their Lordships; and in another pamphlet by the noble Viscount on the cross-benches (Viscount Lifford.) The literature of the question had also received additions from various writers and speakers. Nevertheless, the difficulties in the way of legislation had not been diminished by all this discussion, nor were they at all likely to diminish unless their Lordships determined to adopt and adhere to sound principles. Although, as he had said, this question required further investigation, he was bound to say he believed there was nothing in the agricultural condition of Ireland at the present moment or in the relations existing between landlord and tenant of a very unsatisfactory character. On the contrary, at that moment, in spite of the Fenian rising and agitation, there was nothing to show that the relations existing between landlord and tenant were in general otherwise than cordial and satisfactory. He said that advisedly, referring to the tenant farmers of Ireland; and he might add that the condition of the agricultural labourer generally in the country was greatly improved. The landlords received their rents easily, and the farmers had been obtaining recently large profits in the legitimate and honourable course of business. They hold their land at fair and equitable rents, and were able to cultivate their holdings at a fair and reasonable profit. This condition of prosperity was shown in some degree by the reports of the principal railways in Ireland. The improved condition of the country was strikingly evidenced by the last report of the Great Southern and Western Railway Company, in which a most satisfactory account was given of the business of the railway during the past year. With the exception of sheep, it appeared that the traffic in every kind of agricultural produce had increased. The goods traffic had likewise increased. He attached much importance to that fact, because it was well known that many of the towns in the interior of Ireland had suffered materially in their trade from the continuous emigration that had been going on. There could be no doubt that those of the population that had remained at home must have considerably improved in their condition, and that their powers of consumption had become much greater. All those facts went to show that the general prosperity of the country had improved, although he was sorry to say that it had not kept pace with that of the other parts of the United Kingdom. He was not, however, one of those who maintained that nothing was wanted. He thought that the condition of Ireland demanded the immediate attention of the Government and Parliament, as the sources of the country could be much more extensively developed than they had been up to the present time. That prosperity had increased should exist in despite of the political agitation of the country showed that there could not exist between landlord and tenant that amount of distrust and rancour that was alleged; but there undoubtedly did exist a state of law on the relations between them which gave facilities for oppression on one side, and fraud on the other, which required to be remedied by judicious legislation. He had invited their Lordships' attention last year to this subject, and he still thought there could be no doubt of the fact that the law relating to the tenure of land in Ireland required much amendment. The people of Ireland had traditional notions of confiscation which it was very desirable to put an end to; and he was sorry to say that these notions had to some extent been fostered by language which had been held in Parliament. The Fenian conspiracy was based upon the proposition that there should be a re-distribution of land; but when it came out that the land was to be distributed amongst those who came to take possession of the country, many who had been deluded returned to their senses, and he believed that there was not a single man of any property who wished to see the Fenian conspiracy succeed. Upon this subject he must allude to a letter which had appeared in the newspapers with the signature "John Bright," which he hoped was not that of a Member of the other House of Parliament, for a more reprehensible document he had never read. It represented that if the Irish people were not restrained by British soldiers, they would exterminate the landed proprietary. A more untrue representation had never been made, for the landlords of Ireland were on as good terms with their people as were any other employers of labour in any part of the United Kingdom. From Mr. Bright, the Member of Parliament, a suggestion had emanated that the State should buy up large estates from owners who were absentees, and distribute them among the occupiers at fair prices. Without entering upon a detailed discussion of the subject, was it not plain that such a scheme was utterly wild and nonsensical? Was there a single principle of political economy or of any other science to recommend the proposition? Other suggestions of various kinds were not wanting, but they all favoured the taking of land out of the hands of the only persons in Ireland with means adequate for its improvement, and transferring it virtually to a new race of comparatively pauper proprietors. Was it not absurd to say that tenants who were so poorly off that they could not pay their rents, were to buy their landlords' estates? But however absurd these notions were, they had their effect in Ireland. Another proposal was, that every man in Ireland should be authorized by statute to hold his land on a sixty-three years' lease; another fixed on twenty-one years as the proper period. What the gentlemen who made such suggestions would practically achieve, if successful in their views, would be a revival of the old feudal system, under which land was sought to be rendered inalienable. With regard to compensation, he had never heard any landlord, great or small, in Ireland, or any man of common sense, object to give full compensation to a tenant for all real and reasonable improvements effected by him upon the land. It was not true to say that outgoing tenants in Ireland received no compensation for their outlay, for in nine cases out of ten there was compensation, and in cases where there was none, it generally happened that the tenants were in debt for rent, and had ruined the farms. The Bill which he proposed to introduce, and by which he sought to remedy some of the defects of the existing law, contained thirty-one clauses and some schedules, and it was based upon the great principle that everything was to be done by voluntary contracts between landlord and tenant. There were bad tenants in Ireland as well as bad landlords, and no Act bearing upon the subject of compensation and tenure could abolish extortion on the one hand, or roguery on the other. The Bill which had been brought in by the late Government during the previous Session had been much praised by those who professed to be the friends of the tenants, although he must say he had some doubt about that profession; but, as a proof of the real value of the Bill, he might mention that a large meeting of tenant farmers in the county of Cork had condemned the measure as utterly worthless; while landlords universally reprobated it. Even by those who approved it, it was looked upon solely in the light of an instalment, and not by any means as a settlement of the question.

A Bill to simplify the Law of Tenure in Ireland—*presented* by The Marquess of Clanricarde.

Moved, "That the Bill be now read 1^a."—(*The Marquess of Clanricarde.*)

Lord MEREDYTH said, that he had so recently acquired a seat in their Lordships' House that he should not have ventured to address them upon the present occasion unless he had been pointedly referred to by the noble Marquess. He would remind their Lordships that the first attempt was made to settle this question twenty years ago, and yet that now they were no nearer than ever to a settlement. He was therefore inclined to think that we had been proceeding on a wrong basis, attempting to do between man and man that which they ought to do for themselves, stepping in between the landlord and tenant to make a bargain which could not be settled satisfactorily by any but the parties concerned. Only one Bill had passed for regulating this question within twenty years, and that Bill had become a nullity. Having failed so often, let them try now to adopt some measure founded on sound and simple principles. Many people regarded emigration as the great curse of Ireland, but he recollected that at the time of the Irish famine, when he had the honour of holding the office of Secretary for Ireland, the greatest pressure was put upon the Government to compel them to assist emigration, which was then believed by the best friends of the Irish tenants to be the great panacea for the misery existing in that country. Emigration had been greatly increased by a law passed in 1843, rather with the intention of retarding it, which imposed upon the Irish landlords the payment of all rates on holdings under the value of £4 per annum. The result of that measure was that in many districts of Ireland, the landlords, while receiving no rent whatever, were called upon to pay heavy rates for the maintenance of their poor tenants. In what did the evils of emigration consist? Was not the position of the poorer classes of Ireland greatly improved by their emigrating to lands, where, he rejoiced to think, numbers of them were now living in comfort and in happiness? In his opinion every attempt to interfere by legislation between parties to a simple contract must end in total failure. The last Bill on this subject introduced by the late Government was not now before their Lordships, and therefore he need not enter into its details; but it contained provisions which would never have been sanctioned by their Lordships, and which would have proved detrimental and injurious to the very classes for whose benefit the Bill had been introduced. The Bill on the same subject, now before the other House, he was afraid, would disappoint those who were anxious to see this important question settled. The Bill now before their Lordships provided a simple system of voluntary contracts between landlord and tenant, and to codify and simplify the whole of this branch of the law. He believed that if the Bill were passed it would confer a great and lasting benefit upon the people of Ireland, and therefore he trusted that their Lordships would permit it to be read a first time.

THE EARL OF KIMBERLEY said, his noble Friend who had just addressed their Lordships (Lord Meredyth) had spoken on this subject with that authority which attached to one who was himself an Irish landlord, and who had great experience in the conduct of Irish affairs, having held for a considerable time the post of Secretary to the Lord Lieutenant. His noble Friend had alluded to the measure brought in by the Government last year in terms so condemnatory that, although not inclined to trouble their Lordships by discussing the details of a measure not now before Parliament, he hoped to be excused if he made a few remarks on the question. His noble Friend who introduced the subject (the Marquess of Clanricarde) began by stating that he entirely admitted it was desirable there should be some distinct provision made, by which a tenant who had improved his land should recover compensation for unexhausted improvements. He apprehended that principle was so generally admitted, both in and out of Parliament, that it had become almost a necessity to endeavour to devise some measure by which that justice might be secured to the tenant. His noble Friend behind him (Lord Meredyth) very naturally, dispirited at the want of success which had attended so many attempts, and despairing of effectually dealing with the subject, fell back on a measure which he himself had prepared to facilitate contracts between landlord and tenant. Now he (the Earl of Kimberley) did not so entirely despair of success; and he was glad to see that the Government had endeavoured to produce a measure which might satisfy the just desire of tenants for more satisfactory relations with their landlords. He should be the last person, knowing the great difficulties of the question, to endeavour to prejudice their Lordships against any measure introduced by any one, and no doubt the measure of the Government, if it reached that House, would deserve careful and considerate discussion; but before he said anything on that Bill he would say a word or two in regard to the measure of last year. It was assumed that that measure was a violent interference with the rights of ownership; that it gave the tenant a share in the ownership of the land—the noble Lord said it almost confiscated part of the land and transferred it to the tenant. He entirely denied that this was a just description of the measure. In no sense of the word was it an interference with the rights of the owner—if it had done so he would not have had anything to do with it. Although that Bill endeavoured to procure for the tenant compensation for improvements—although it endeavoured to establish a presumption of law different from that which now existed — namely, that in future the law should presume that the tenant had a right to compensation for improvements unless the owner could establish the contrary — still it allowed the landlord to prevent any claim by restraining the tenant from making any particular improvement. The clause in the Bill was found fault with because it was not sufficiently explicit; but the intention of the framers was that this provision would enable the landlord to restrain his tenant from making any specific improvements against his wishes, and if he refused his assent the tenant would not acquire under the Bill a right to compensation. That was clearly a very necessary provision; for instance, there might be a claim for such an improvement as building a house, which might involve a very great hardship, the land not being fit for such a purpose. The Bill distinctly reserved the fundamental right of the owner to deal with his own land; but it gave the tenant the right which he had in equity to obtain compensation for improvements, unless there was a contract to the contrary. This was the usual practice of prescription as recognised by the law. There was nothing unjust or unfair, no invasion of the right of ownership in it. No doubt there were details in the measure which would have required careful consideration, and probably would have received considerable amendment. But if they fell back on such a measure as that introduced by the noble Marquess, merely for facilitating contracts between landlords and tenants, it would not, he feared, give satisfaction to the tenantry of Ireland. He admitted that the relations between landlord and tenant were improved, that agrarian crime had remarkably diminished, and that agricultural prosperity had advanced in Ireland, attributable to a variety of circumstances; but that was the very time when they ought to legislate upon this subject, instead of waiting till compulsion was put upon them, and they had to legislate during a crisis. This was a moment when tenants might be ready to lay out considerable sums in improvements, and to encourage them it was necessary to give them, in case they should be called upon to leave their farms, the assurance of a right to compensation for unexhausted improvements. As regarded the measure introduced by the Government, though he would not discuss its various provisions, as it was not yet before them, he could not help expressing a doubt respecting a measure which threatened to have the effect of placing all the small tenants in Ireland in something like a position of dependence upon the Treasury of the United Kingdom. He did not object to the principle of giving Imperial assistance further, if that assistance were accompanied by safeguards as to the application of the advances. That might be a mode of settling the question; but he doubted whether it would be safe or convenient to make advances to tenants. He would rather look to the owners themselves, as being able to afford a better security for re-payment. He did not wish now to express any decided opinion on the measure of the Government, which ought to be fully discussed, and he hoped that if the Bill reached their Lordships it would be discussed in a calm and temperate spirit. The present discussion would not be without value if it gave an assurance that any measure honestly brought forward would meet with a favourable reception at their Lordships' hands.

Lord **DUNSANY** feared that, between the expectations of Irish tenants as to what legislation would be on this subject, and any measure likely to pass this House, there was as great a difference as between a hungry man's dream and another man's dinner. The sort of legislative enactment which was spoken of in Parliament would in Ireland be regarded as of no value at all, and if the effect of the present discussion should be to dispel the delusions of the Irish peasantry on this subject, the discussion would have proved beneficial. He trusted that the noble Earl at the head of the Government would make an authoritative declaration to the effect that, anxious as Parliament might be to pass some satisfactory measure, no enactment was likely to be adopted bearing the smallest resemblance to that which the agricultural classes in Ireland were taught to look for from the propounders of revolutionary doctrines. If the effect of this discussion should be to open the eyes of the agricultural classes in Ireland to the difference between the legislation which might pass and the wild notions which they entertained, it would have been very useful. The legislation to which those classes looked forward was revolutionary, and resembled an agrarian law, and if carried out in Ireland could not be refused in England and Scotland. He had a pamphlet in his hand written by a lawyer—not an obscure, briefless barrister, but a Queen's Counsel, and one who had been a Member of the other House of Parliament (Mr. Isaac Butt). In that pamphlet it was observed that if the Irish people resolved to declare their determination to have fixity of tenure for the occupiers of the soil, three years would not pass before a measure for that purpose would become law. The pamphlet was accompanied by the draft of a Bill. The preamble stated that it was desirable to convert short and uncertain tenures into long tenures for terms of years. No doubt it was. It might be desirable when you had taken your house for six months to convert your tenure into one for sixty-three years, or when you had borrowed a horse to retain it for the term of its natural life. The draft Bill, moreover, went on to settle the rent to be paid which was to be on the principle of the Poor Law valuation. Such was the way in which it was proposed to deal with property in Ireland. Under these circumstances, he trusted that their Lordships would hear from the noble Earl at the head of the Government, who was himself a large Irish proprietor, an authoritative declaration that no such revolutionary proposal as this was what was meant by the term the settlement of the relations between landlord and tenant. It was a delusion to suppose that the tenants of Ireland were ardent improvers and the landlords were obstructives. In his neighbourhood nearly all the improvements were made by the landlords; and the tenants were so ignorant of the advantage of drains as to laugh at their construction as the folly of rich men. There were, of course, improving tenants, but these were exceptions, and legislation based on the assumption that the tenants were the invariable improvers would be a great mistake.

EARL GREY said, he hoped his noble Friend the late Lord Lieutenant of Ireland (the Earl of Kimberley) would excuse him if he ventured to say that, had he wanted an argument for the principle laid down by the noble Marquess who had introduced the Bill, and so well supported by his noble Friend behind him (Lord Meredyth), the speech of his noble Friend would have supplied him with one than which nothing could be more to the purpose. His noble Friend had endeavoured to defend the Bill of the late Government from the charge that it was an invasion of the landlord's rights; but he had only attempted to rebut that charge by showing that the rights which were conferred by it on the tenants were accompanied by safeguards for the landlords, which, in his opinion, must have tended to embroil the landlord and the tenant, and to make the relations between these classes worse than ever. By the Bill of last year the late Government proposed to legislate upon the principle of giving a claim for unexhausted improvements made by the tenant without any agreement with his landlord. If that principle was to be made applicable to everything which might be called improvements, one could easily see what extreme injustice might be done to the landlord. Things might be improvements for the actual tenant, and yet be a positive injury to the land if it were brought into the market. Thus, if there were small farms of ten acres, a cabin on each of them would perhaps be an improvement for the occupying tenants, but it would be a serious injury to the land at the expiration of such a tenancy. Then, if they guarded the landlord by giving him a veto on the improvements of the tenant, they raised questions between the two parties as to what should and what should not be regarded as an improvement. These questions of compensation generally arose many years after the improvements were made, and when, perhaps, one or both of the parties to the original letting were dead. He believed that by legislating on the principle of the Bill of last year they would create still greater difficulties than those which unhappily prevailed at present in connection with the tenure of land in Ireland. There was another principle which if he correctly understood the Bill now proposed by his noble Friend (the Marquess of Clanricarde) was that which he adopted, and it was simply this—to afford every possible facility to landlords and tenants to make their own bargains between themselves, and to establish the practice that their agreements should be in writing, the terms to be plainly expressed, so that there should be no disputes thereafter. He believed that to be the best and simplest plan which could be adopted. In his opinion the system which was desirable was not that the tenants should have a claim for unexhausted improvements, but that they should have leases for such terms as would enable them to get the value of their improvements in the shape of occupation. The larger improvements, such as drainage, should be made by the landlord. The smaller improvements should be made by the tenants, on lease for a sufficient number of years. That system was well known in the North of England, and also in Scotland, where, under leases of nineteen and twenty-one years, the Lothians and both banks of the Tweed had been doubled and trebled in their productive power, and he had no doubt whatever that the introduction of such a system into Ireland would conduce to the greatest amount of good. He objected, however, to claims for compensation on an undefined agreement based upon an Act of Parliament, when such claims might be made perhaps thirty or forty years after the improvements had been effected.

THE DUKE OF ARGYLL said, he quite agreed with what had been said by his noble Friend who had just sat down (Earl Grey), that the object of the law ought to be to encourage the granting of leases; but we know as a matter of fact that such was not the state of things in Ireland. Like his noble Friend the late Lord Lieutenant, he thought that the Bill brought in last year might have required amendment in its details, but it was based upon a sound principle, because, in changing the presumption of law, it would have put a stress and strain on the landlords to come to written agreements with their tenants. To do that was, he believed, perfectly consistent with a due regard to the rights of property. In the West of Scotland much good had resulted from the introduction of written agreements, and he thought that the same thing would follow from their adoption in Ireland. He was not in favour of giving any artificial encouragement to the letting of land in very small farms. He hoped that whenever this question came on for discussion in their Lordships' House it would be dealt with without any party feeling. He trusted that it would be considered with the view of doing what was best for the improvement of the tenantry of Ireland, and for placing on a more satisfactory footing the relations between landlord and tenant in that country, without any political feeling whatever.

Earl Grey

VISCOUNT LIFFORD protested against any attempt to apply to Ireland principles which were not applied to England and Scotland. The Bill of the late Government would have had the effect of enabling tenants to make improvements in defiance of their landlords, and this principle was not to be defended.

THE EARL OF KIMBERLEY said, the words in the 29th clause of the Bill of last year might not have been sufficiently explicit, but the intention had been that if the landlord expressly declared that the tenant should not build a house, the tenant, if he did build, should not be entitled to compensation.

VISCOUNT LIFFORD replied that such might have been the intention, but it certainly was not the reading of the clause.

Motion *agreed to:* Bill read 1^a, and to be *printed.* (No. 23.)

BRITISH NORTH AMERICA BILL—(No. 9.)

(*The Earl of Carnarvon.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee read.

THE EARL OF SHAFTESBURY *presented* petitions from the Governors, Principal, and Fellows of the M'Gill College, Montreal, from the Provincial Association of Protestant Teachers of Lower Canada, and others, directing attention to several provisions of the Bill and especially to the 93rd clause, which in their operation they feared would have the effect of subjecting them to the will of those possessing the majority of the representation, and they desired the introduction of a clause into the Bill now before Parliament for their security. The petitioners disclaimed all feelings of distrust or hostility to their Roman Catholic brethren, but they foresaw difficulties likely to arise in the future history of the colony which they wished to obviate by timely legislation. The petitioners felt strongly on the point, as their petitions showed. At the same time, so sensible were they of the importance of passing this measure, that if the modifications which they had suggested could not be accepted without endangering the measure itself they would not insist on their demand.

THE EARL OF CARNARVON said, that through the courtesy of the noble Earl who presented these petitions he had enjoyed a previous opportunity of learning their contents; in fact, they had been referred to him at the Colonial Office, and copies of them would be found in the official correspondence. The petitioners he knew to be men of position and great respectability in the Lower Province, and it was accordingly his duty to entertain with due care and consideration the points which they urged. Having done so, he was bound to say that it was wholly impossible to amend the Bill in accordance with the wishes of the petitioners without compromising the success of the measure. The real point which they desired was to secure for ever, both in the general and in the local Legislatures, the same relative representation for the Lower Province which it now possessed. Independently of the fact that many of the proposals were of a municipal character and might be settled by the local Legislature, to introduce the clauses asked for would violate one of the principles upon which the Bill was based—namely, that the local Legislatures should have the power of amending their own constitutions. He could not but think that the views of the petitioners must lead to a multiplication of those sectional interests of which already there were, perhaps, too many in the Provinces. Those petitioners, it seemed to him, were needlessly afraid of the consequences of the scheme. The 80th clause provided that no change should be made in certain districts of Lower Canada—the very districts, in fact, which returned the Protestant minority—without the consent of the Members returned by those districts. Hence the House would perceive that it was almost impossible for any injury to be done to the Protestant minority. The real question at issue between the Protestant and Roman Catholic communities was the question of education, and the 93rd clause, after long controversy, in which the views of all parties had been represented, had been framed. The object of that clause was to guard against the possibility of the members of the minority suffering from undue pressure by the majority. It had been to place all these minorities, of whatever religion, on precisely the same footing, and that, whether the minorities were *in esse* or *in posse*. Thus the Roman Catholic minority in Upper Canada, the Protestant minority in Lower Canada, and the Roman Catholic minority again in the Maritime Provinces would all be placed on a footing of precise equality. He could only say further that if he were to accept an Amendment based on the petitions presented by his noble Friend, it would be difficult to resist other Amendments of an analogous character put forward by opposing interests. In fact, only a few minutes before he entered the House that day he had received a paper setting forth the views of a strong and very respectable Roman Catholic minority, who feared that the 93rd clause would not extend to them the protection which they conceived to be their due. His answer to them, as to his noble Friend, must be that to comply with their wishes would be to depart from a compact entered into by the representatives of all shades of religious and political opinions. If the compromise were departed from in favour of one party, it must inevitably be departed from in favour of another. Therefore, he could not accept from his noble Friend the Amendment which he knew had been prepared, but with much consideration had not been pressed.

LORD LYVEDEN asked for some information as to the powers of the delegates by whom this compromise was entered into, and the quarters from which they derived their authority. A large and influentially-signed petition would soon, he believed, be presented, expressing a hope that this Confederation scheme would not be passed into law before May next, when the results of the elections in Nova Scotia would exhibit in a clearer light to the people of this country what was thought of the Bill in that Province.

THE EARL OF CARNARVON said, that so far as regarded Prince Edward's Island and Newfoundland, inasmuch as they refused to be included in the Confederation, it was not necessary for them to send any delegates. With regard to the delegates who came to this country to negotiate the Confederation, they derived their power from the several Provinces which they represented, and were armed with the fullest authority from the Legislative bodies. In the case of Nova Scotia, in which Province only was there a semblance of a difference of opinion, the matter was fully debated as to whether the Governor should be authorized to appoint delegates to proceed to this country for the purpose of arranging the terms of union of the Province, and after a very full discussion it was carried in the affirmative by 13 to 5 in the Legislative Council, and by 31 to 19 in the Legislative Assembly. With respect to Upper and Lower Canada, nothing could be more complete and comprehensive than the power granted to the delegates.

Motion *agreed to:* House in Committee accordingly; Amendments made: The Report thereof to be received on *Monday* next.

PATENTS FOR THE IMPROVEMENT OF SMALL ARMS.—QUESTION.

VISCOUNT LIFFORD asked the Under Secretary of State for War, Whether any Departmental Officers, having had the benefit of the experience of the various trials of Small Arms made at the expense of the Government, had taken out patents for the improvement of Small Arms?

THE EARL OF LONGFORD said, he was not aware that any such patents had recently been taken out. One officer, indeed, in the Enfield factory, had been about to do so, but, being well advised, had abandoned his claim. Colonel Boxer, it was true, had taken out a patent for a cartridge which had been found to be of value in connection with the Snider rifle; but the War Department had always discouraged the practice of officers taking out patents. Though, however, the practice had been discouraged, there was no absolute prohibition on the subject before General Peel came into office. The noble Lord who preceded him in office (the Marquess of Hartington) had expressed his opinion that these proceedings were objectionable, and his judgment was to deal with the matter by legislative enactment in connection with the revision of the patent laws. The subject was some time under consideration, when a difficulty arose, because while the law advisers of the War Department were in favour of proceeding by legislation, the Law Officers of the Crown were of a different opinion, and referred the question back as one that should be entirely regulated by the Department. The consequence was that no immediate action was taken. Another element of difficulty was that, whereas the War Department objected to patents under such circumstances, the Board of Admiralty did not, and on being referred to declined to concur with the Secretary of War in issuing a general prohibition. The matter had attracted the attention of General Peel, who was understood to be averse to the practice, and would before long consider whether it was advisable to take any steps by legislation either on the part of the Department alone, or in connection with the other Departments; so that in future departmental officers should no longer be permitted to take out patents in relation to improvements which came under their official notice.

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

NOTICE.

THE EARL OF DERBY: My Lords, it is proposed, and I believe that there is no objection to the proposal, that this House shall meet to-morrow, at one o'clock, in order to read the first time a Bill—the Habeas Corpus Suspension Act—which has just come from the House of Commons. The Act at present in operation expires on Tuesday next, and it is necessary that the Bill now before Parliament should be passed before that day. I shall also move to-morrow the suspension of the Standing Orders, in order that the Bill may be passed through all its stages on Monday.

House adjourned at half past Seven
o'clock, till To-morrow,
One o'clock.

* * *

HOUSE OF COMMONS,

Friday, February 22, 1867.

MINUTES.]—NEW WRIT ISSUED—*For* York County (North Riding), *v.* The Hon. William Ernest Duncombe, now Lord Feversham.

PUBLIC BILLS—*Resolution in Committee reported*—Thames Embankment and Metropolis Improvement [Loans].

Ordered—Thames Embankment and Metropolis Improvement [Loans] *; Metropolis Gas *; Petit Juries (Ireland) *; Court of Chancery (Ireland) *; Common Law Courts (Ireland) *; Charitable Donations and Bequests (Ireland) *; Sea Coast Fisheries (Ireland) *; Counsel to the Secretary of State for India.*

First Reading—Metropolis Gas * [45]; Petit Juries (Ireland) * [46]; Court of Chancery (Ireland) * [47]; Common Law Courts (Ireland) * [48]; Charitable Donations and Bequests (Ireland) * [49]; Sea Coast Fisheries (Ireland) * [50]; Counsel to the Secretary of State for India * [51].

Second Reading—Marriages (Odessa) * [40].

Committee—Habeas Corpus Suspension (Ireland) Act Continuance *reported;* as amended, *considered;* read 3° [35], and *passed;* Sugar Duties * [27].

Report—Sugar Duties * [27].

SANITARY CONDITION OF WALES.

QUESTION.

SIR THOMAS LLOYD said, he wished to ask the Vice-President of the Council, Whether his attention has been called to the Report of the Registrar General on the defective sanitary condition of Wales; and whether he is prepared to take any steps to remedy the serious evils complained of?

MR. CORRY, in reply, said, his attention had been called to the Report in question, and during the course of last year medical officers of the Privy Council were sent down from time to time to various localities, on the outbreak of epidemic disease, for the purpose of giving advice to the local authorities, with whom it rested to initiate sanitary improvements. In default of their doing so, the inhabitants of a place might complain to the Government, which would institute inquiries on the subject.

ADMIRALTY STEERING AND SAILING RULES.—QUESTION.

MR. HOLLAND said, he would beg to ask the First Lord of the Admiralty, Whether the attention of the Government has been called to the existing "Steering and Sailing Rules;" and whether it is intended to cause any inquiry to be made as to their efficiency, with a view to prevent disasters arising from collisions at sea?

SIR JOHN PAKINGTON: Sir, the Question of the hon. Member is one of the greatest possible interest in this commercial country. Some years ago the sailing rules at sea were most carefully considered, and at last rules were agreed upon by the Admiralty, the Board of Trade, and the Trinity House; these were approved by foreign countries; and on the whole, notwithstanding the accidents which have recently occurred, I am disposed to think that those accidents are rather to be attributed to the neglect and ignorance of existing rules than to any defect in the rules themselves. At the same time, the question is one of so much interest that, several accidents having occurred recently, I propose to confer with the Board of Trade and the Trinity House in order to ascertain, not so much as to whether the system can be changed as to whether it is not possible that those rules may be made more simple and effectual, especially with regard to the exhibition of lights.

HOLYHEAD UNION.—QUESTION.

MR. OWEN STANLEY said, he wished to ask the President of the Poor Law Board, If he has taken into his consideration the Petition from the parish of Holyhead lately presented to this House, together with any Special Report from the Poor Law Inspector of the district, Mr Doyle, urging the necessity of immediate Legislative interference, to enforce upon the Guardians of the Holyhead Union the building a workhouse and hospital for the sick poor, and giving means for instruction to orphan and pauper children in the Union; and if he will be prepared to bring in a Bill to enforce the same; and if he will lay upon the table of the House any Report or Papers relating to this subject?

MR. GATHORNE HARDY: Very soon, Sir, after I came to the Poor Law Board this subject was brought before me, and the facts were of so dreadful and disgusting a character that I made up my mind at the time that it should be the fault of Parliament and not mine if measures were not taken to redress the grievances existing in that district. It appears that no workhouse has ever been built, and that cases had occurred in which people suffering from typhus fever have lain for weeks on chairs in common lodging-houses, for the want of proper accommodation, and that girls of tender age have been lodged in a common brothel because no workhouse was provided. If the House will take the trouble to read the petition presented by the hon. Member for Beaumaris, it can have no doubt that there is strong grounds for legislative interference. I propose, as soon as I have the opportunity, to bring in a Bill to invest the Poor Law Board with a power they do not possess. At present they can compel the making of alterations in a workhouse, but they have no power to compel the building of one. At other places—very few, I am happy to say—there is almost an equal call for interference; and I shall have pleasure in laying the Reports that relate to Anglesea and Holyhead on the table.

MR. NEATE said, he would suggest that it was a question for the consideration of the Law Officers of the Crown whether persons who had been so far guilty of a breach of the trust placed in them were not punishable at Common Law.

POSTAL SERVICE WITH THE UNITED STATES.—QUESTION.

Mr. BAXTER said, he wished to ask the Secretary to the Treasury, If he will lay before the House the recent correspondence between the Postmasters General of Great Britain and the United States, with reference to the postal service between the two Countries; and whether, in making the new arrangements consequent on the termination of the Cunard contract, care will be taken to give the public the benefit of the great competition now existing between the various steamship companies having vessels on the North Atlantic?

Mr. HUNT said, in reply, that there would be no objection to lay before the House the recent correspondence between the Postmasters General of Great Britain and of the United States with reference to the postal service between the two countries, and with respect to the proposed new arrangements consequent on the termination of the Cunard contract the public would have the full benefit of open competition with regard to the contract for steamers to be employed in carrying the mails.

POOR LAW — RATING OF CHARITABLE INSTITUTIONS.—QUESTION.

Mr. BIDDULPH said, he wished to ask the Secretary to the Poor Law Board, Whether his attention has been called to the fact that hospitals and other charitable institutions, formerly held to be exempt from poor and other parochial rates, are by a recent decision made assessable for these rates; and whether he proposes to recommend any alteration in the Law so affecting them?

Mr. EARLE: Sir, the decision referred to by the hon. Member for Herefordshire, as establishing the liability of hospitals and other charitable institutions to contribute to poor-rates, has certainly not escaped the attention of my right hon. Friend the President of the Poor Law Board. As, however, the state of the law will probably be further elucidated by the decision of the Courts, in some cases now pending, I cannot at present say more than that the whole question of exemptions from rating is under the consideration of the Government.

Mr. Neate

ARMY—GOVERNMENT POWDER MAGAZINES.—QUESTION.

Mr. Serjeant KINGLAKE said, he would beg to ask the Secretary of State for War, Whether any Report has been made by a Committee of Officers appointed by the Secretary of State for War in 1865, to inquire into the storage of Gunpowder in Government Magazines; and whether any alteration has been or is about to be made in the system of storing Gunpowder in public or private Magazines?

General PEEL said, in reply, that a Report was made by the Committee of 1865, and they estimated the cost would be £151,000 for the removal of the principal magazines. No steps had been taken on that Report on account of the inquiry which was going on as to the desirability of protecting gunpowder by Mr. Gale's process.

SUGAR DUTIES—DRAWBACK ON SUGAR. QUESTION.

Mr. CRUM-EWING said, he wished to ask the Secretary to the Treasury, If he will state at what date the new Regulations as to the amount of Drawback on Sugar, to be allowed by France, Holland, and Belgium respectively, as provided for by the recent Convention, are to come into operation; and, in the event of that being delayed beyond the 1st day of March, whether the change of the Duties and Drawbacks on Sugar in this country shall be postponed, in order that the change may take place simultaneously in all the countries which are parties to the Convention?

Mr. HUNT: As soon, Sir, as the Resolutions were passed by this House they were communicated, through the Foreign Office, to the Powers who are parties to the Convention, with a request that they would furnish the British Government with information as to the date at which they would be prepared to carry out the arrangement. At present an answer has been received from Belgium only, stating that the Government of Belgium were prepared to carry out the arrangements on the 1st of March in case the other Governments would do the same. It would be obviously disadvantageous to our interests if the high drawbacks now existing in foreign countries should not come to an end at the time the new scale of duties here began, and therefore the Government propose, unless they are assured by the other three parties to the Convention that they will be prepared to make the change on the 1st of March, to delay the passing of the Bill through this House, so that we may be in a position to alter the date from the 1st of March to any subsequent date that may be agreed upon by the four Powers, and that the new scale may come into operation in all countries simultaneously.

GOVERNMENT SUPERINTENDENCE OF TELEGRAPH LINES.—QUESTION.

MR. W. E. FORSTER said, he wished to ask the Secretary to the Treasury, Whether it is the intention of Her Majesty's Government to bring in a Bill for placing the Telegraph Lines in the Kingdom under the superintendence of the State?

MR. HUNT said, in reply, that the question had been under the consideration of Her Majesty's Government; but it was obvious that a question of this magnitude required mature consideration, and he was not in a position at present to say that the Government had come to any determination on the subject.

IRELAND—FENIAN PRISONERS.

EXPLANATION.

MAJOR STUART KNOX: Sir, as the hon. Member for Birmingham (Mr. Bright) thought fit last night to misrepresent what I stated on the subject of the treatment of Fenian prisoners, I have given private notice to the noble Lord the Chief Secretary for Ireland that I will ask him, Whether prisoners arrested under the Habeas Corpus Suspension Act in Ireland have not always been treated in the same way as untried prisoners and insolvent debtors?

LORD NAAS: The observation of the hon. and gallant Member is strictly true. The rule is that the prisoners apprehended under the Lord Lieutenant's warrant, no matter in what gaol they may be, are treated in regard to food, exercise, and other matters precisely in the same way as untried prisoners or persons imprisoned for debt.

PRINCESS OF WALES—ADDRESS OF CONGRATULATION TO HER MAJESTY.

THE CHANCELLOR OF THE EXCHEQUER: Sir, this House, I am sure, will be rejoiced to offer an Address of Congratulation to Her Majesty on the happy event which has occurred in the Royal Family of the birth of a Princess in the direct line of the Royal House. The Royal Family of this country live so much in the eye as well as in the heart of the nation, that some domestic sentiment must necessarily mix with the public feeling which dictates and sanctions this Address, and I am sure the House will offer with every sincerity, and with the utmost and most respectful cordiality, the congratulations which we all feel on this occasion, and the unalterable devotion which we entertain to Her Majesty and the Royal Family. I beg to move—

"That an humble Address be presented to Her Majesty, to congratulate Her Majesty on the Princess of Wales having happily given birth to a Princess, and to assure Her Majesty of our feelings of devoted loyalty and attachment to Her Majesty's Person and Family."

MR. GLADSTONE: I wish, Sir, to be permitted to second the Motion of the right hon. Gentleman, and I will only add to what has fallen from him, that the indisposition from which Her Royal Highness has been suffering before the event, has contributed to supply an additional interest in an event which would always come home to the hearts of the nation. I beg to express an earnest hope that the Princess may be relieved from any continuance of that suffering, and that she may continue to enjoy, together with every other blessing which Providence has been pleased to bestow upon her, that uninterrupted health which is the desire of the whole country.

Address *agreed to.*

Resolved, Nemine Contradicente, That an humble Address be presented to Her Majesty, to congratulate Her Majesty on the Princess of Wales having happily given birth to a Princess, and to assure Her Majesty of our feelings of devoted loyalty and attachment to Her Majesty's Person and Family.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

NEW COURTS OF JUSTICE.

OBSERVATIONS.

MR. BENTINCK said, he rose to call attention to the Estimates for the designs of the New Courts of Justice. He thought it his duty in the last Parliament to bring before the House on two occasions the unsatisfactory mode in which it was proposed that the New Law Courts should be built.

It appeared then to be the opinion of Her Majesty's Government that by some proceeding or in some mode the House had parted with its jurisdiction over the subject, and handed it over to the Commissioners. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) in the last discussion expressed himself to the effect that, as an independent body had been chosen to exercise an economical control over the work, the House ought to abstain from interfering with those to whom that charge had been committed. That view was so irreconcilable with the facts of the case that, coming from so great an authority, it required satisfactory explanation. It was for the purpose, therefore, of raising this question that he had placed his Notice upon the Paper. If the subject was a matter of interest last Session, it was now a matter of urgency, because they had the estimates of the competing architects before them. The scheme of a concentration of the Law Courts had been many years before the public, and had led to much adverse criticism, not because any one doubted that concentration was desirable, and that the officers of the law should have a proper place for carrying on their business, but because there was a strong opinion among high authorities that it was not right to appropriate the Suitors' Fee Fund to such a purpose, and that this was the beginning of an expenditure of which no human being could see the end. The Government of the day, therefore, when proposing their measures, were very strictly questioned, and their answers were most frank and explicit. His hon. and learned Friend the Member for Richmond (Sir Roundell Palmer), in his capacity of Attorney General, had charge of the Bill, and in introducing it in February, 1865, and on other occasions during the progress of the measure, stated that the estimate was one on which the utmost reliance might be placed. That Mr. Pennethorne had estimated the cost of the site at £703,000, and the cost of the building at £750,000, so that the entire expense would not exceed £1,500,000. His hon. and learned Friend added that with proper superintendence there was no reason to expect any great excess over the estimate. In the other House of Parliament a statement was made to the same effect by Lord Westbury, but that did not satisfy their Lordships, and, so desirous were they that there should be no mistake upon the matter, they inserted a clause in the Bill and sent it down to the House of Commons, where it was in principle adopted—that no notice for the purchase of the property should be given until it had been certified by the Commission to the Treasury that the cost of the building was not to exceed the sum provided by Parliament. So much for 1865. In 1866, during the repeated discussions on this subject, it was never suggested by the late Government that the estimate would be exceeded, and on the 5th of July last the certificate required by the Act was given to the Treasury, signed by his right hon. Friends the Members for South Lancashire and Hertford (Mr. Gladstone and Mr. Cowper), his hon. and learned Friend the Member for Richmond, and by several other distinguished persons. It was therefore with great surprise that he had observed the amounts of the estimates of the competing architects now made public. Eleven architects competed, and of the estimates sent in two amounted to about £1,100,000, four to £1,250,000, one exceeded £1,300,000, two exceeded £1,400,000, one was nearly £1,600,000, and last, not least, one exceeded £2,000,000. Now, he thought it hardly possible that such estimates should have been furnished had not the architects received an intimation that the Commission would not adhere to the sum to which they originally bound themselves. Indeed, it was reported that the Commission had applied to the Government for a further grant, and that they actually proposed to make use of the Common Law Fee Fund as security for the money to be thus raised. Considering, however, the animadversions which were passed on the appropriation of the Suitors' Fee Fund by the present Prime Minister and by the Home Secretary, he could hardly believe that the Government would entertain the proposal. The funds provided by the Act were £900,000 from the Suitors' Fee Fund, £200,000 from the sites of the present Law Courts, and £400,000 to be advanced by the Government on the security of taxes on the suitors. If, however, the costs of the building were to be doubled, he should like to know how the additional sum was to be provided. The Suitors' Fund was exhausted, and it only remained to tax the suitors further. Would the House permit this? It was said that this was a mere lawyers' hobby, with which the Government had nothing to do, and that the suitors were well able to bear the burden, but he hoped the House would not take that view, and would extend to suitors the same consideration as to any other section of the community. The true explanation of so grave a breach of faith consisted, as in the case of the Vote for the Paris Exhibition, in the existence of an irresponsible body acting behind the scenes and pulling the wires, and to whom the taxation of British suitors was of no account, and who had no motive for economy. It was, then, high time that the House should assume the responsibility of the works, and assert its own jurisdiction in matters of finance. There was another point to which he would advert—the defective tribunal which had been appointed to select the design. The Commission had named only five gentlemen as judges of the designs, and to these certainly no exception could be taken. There were the right hon. Member for South Lancashire (Mr. Gladstone) and the late Commissioner of Works (Mr. Cowper), who represented the Government; the hon. and learned Member for Richmond (Sir Roundell Palmer), and the Chief Justice of England, who represented the law; but there was only one Member who represented the general public. Architecture and art were without representation. Hence the country has had an insufficient choice, for no design in the modern style had been exhibited. Of ten *bonâ fide* competitors named, seven were "Goths," and from this unfair appointment as well as for other reasons, the three "Non-Goths," and the artistic public inferred that no design, except one in the "Gothic" style would have any chance of success. The designs exhibited were very curious, no doubt, as illustrations of Gothic cathedrals, feudal castles, and other mediæval monuments, but they were most extravagant in their character, costly in their estimates, and barbarous in their details. He was satisfied that had the responsibility rested with the Government, a liberal-minded tribunal would have been appointed, as had been done by the noble Lord (Lord John Manners) in the case of the National Gallery. The Civil Service Estimates had always appeared to him to be the plague-spot of our expenditure, and he had brought forward this question as one of economy, in which hon. Members of all parties ought to co-operate.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "in the opinion of this House, it is expedient that all arrangements respecting the building of the New Courts of Justice should be effected under the sole responsibility of Her Majesty's Government,"—(*Mr. Bentinck,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. BERESFORD HOPE was sorry that his hon. Friend should, in bringing the case before the House, have prejudiced it by giving an opinion on the merits of the designs, and so lending a colour to the supposition that there were some artistic or personal objection on his part to the designs underlying the general subject. The somewhat entangled and unconsequential statement of his hon. and learned Friend divided itself into four points, with some of which he agreed, but not with all. The hon. Member complained of what he called the sequestration of the Suitors' Fee Fund; he complained of the responsible Government of the country having delegated its duties to a Commission; he complained of the absence of the artistic element in the body of judges, and he complained of the castellated, monastic, et cetera, et cetera, character of the designs. These four objections stood on different bases, some of which would hold water, while others certainly would not; but to attempt to raise the question on all these issues would be to bring about utter confusion in the end. In the first place, as to the so-called sequestration of the Suitors' Fee Fund, he must say that, looking at that enormous sum of money which had gone rolling on, year after year, of no use to any one, simply a sort of "no man's land," a fund that seemed to be grinning and mocking in its own gigantic exuberance—to take that money and appropriate it to the real use of the suitors, to the service of justice, and to modifications in the system of our judicial administration, the benefits of which no one as yet, in all probability, adequately appreciated, would be a reform of a most salutary and satisfactory character. [MR. BENTINCK: I did not complain of the sequestration of the Suitors' Fund.] Then the hon. Member gave the House a very good imitation of so complaining. He felt a personal interest in this question, for he had had the honour, when in the House, about nine years ago, of obtaining, on behalf of the Incorporated Law Society, that Royal Commission, on whose recommendation all that had since taken place had been effected. As to the second point—the personal superintendence of the Government—he also agreed with the hon. Gentleman. If we were to have a Minister of Works he ought to superintend the construction of all great works of the nation. He thought there was no worse feature of our political hierarchy than the subordinate position to which the Department of Works was reduced. Sometimes the head of this Department was in the Cabinet, and sometimes he was not; and he did not think there was any country in the civilized world, except England, where the Minister of Works was not *ex officio* a Member of the Cabinet. The Ministry of Works used to be called the Woods and Forests. He was a sort of land agent of the Crown. Some thirty years ago the superintendence of the national buildings was intrusted to him; but with the usual half policy of this country he was only set up as a sort of three-quarter Minister, while, true to the British feeling of setting two men to do the work of one, our reformers shortly after supplemented him with a half-Minister, the Vice President of Education, on whom they heaped duties of an artistic nature far more appropriate to the Commissioner of Works. As to the third point, the composition of the Board of Judges, he, as representing the architectural profession of the country, was the instrument through whom a memorial was presented to the Treasury on their behalf, suggesting certain changes; but the answer he received from the Secretary of the Treasury was simply—"You are too late," without any attempt being made to meet his arguments. In all these three points he thought his hon. Friend had established his case. But the great grievance of his hon. Friend was the barbarous mediæval Gothic of the designs, which to him seemed to have the same effect as a scarlet cloth had on a certain most useful and meritorious inhabitant of our fields. There he (Mr. Hope) owned that he did not go with his hon. Friend. He did not go with him as to £750,000. Architects could not make their bricks without straw; and the arbitrary sum set down as the price of the building became inadequate when provision was required not only for Equity as well as Common Law, but for Probate Courts and Record Chambers, passages, and meeting rooms, and refreshment-rooms, and all sorts of arrangements to enable lawyers to get in and the clients to be kept out, and the general public to be civilly and quietly bamboozled. These additions did not come within the original £750,000 estimate, and when the architects were required to carry out these extra works, it was not right to blame them for producing plans which exceeded that estimate. Then as to choice of style, it was a remarkable thing that in the voluminous instructions to the architects not a single word about style was mentioned, directly or indirectly. His hon. Friend said, "Leave the matter in the hands of the Government," and then he went on to explain what he meant. The Government had now ordered the designs to be prepared in what he (Mr. Bentinck) called the "simple modern style"—that was, he (Mr. Hope) supposed, in the style which we all admired in Harley Street and Baker Street. They would have had a repetition, on a large scale, of 73, Upper Baker Street; but it so happened that the list of architects was not framed by the Commissioners but by the Government, by the late First Commissioner of Works; and in that list of architects, as originally drafted, about half the number were admirers of the simple modern style, and only the other half were Goths and Vandals. But two or three of the Italian architects withdrew, and their names had to be filled up. Still, the second names were chosen very impartially, and yet, when it came to the scratch, not a single Italian architect was found to stand to his gun. With one consent, but with no mutual deliberation, each man for himself came to the conclusion that for the temple of traditionary British law, the law that produced a Lyttelton, and a Bracton, and a Gascoigne, an Italian or Grecian edifice would be a startling anachronism. Every one of the architects, without any concert, came forward with a Gothic design. He pitied his hon. Friend. He knew what

"Affliction sore long time he bore"

since the designs had been hung up; but he (Mr. Hope) ventured to say that neither Government nor Commission would have made any difference in the matter. English Law Courts, built in English architecture, was what English common sense dictated. In conclusion, the hon. Member expressed a hope that his hon. Friend would not press his Motion to a division.

Sir ROUNDELL PALMER said, he hoped that the hon. Member for Whitehaven would not think it his duty to press his Motion, because it would put an end to the possibility of proceeding with other Notices on the Paper. No doubt, the responsibility in this matter must rest with the Executive Government, and could not be thrown upon any other person. The late Government in their Bill did not originally ask that this responsibility should be shared by any other body. That was a suggestion from independent Members on the opposite side of the House, who thought that it would insure the satisfactory prosecution of the work. He believed it was the present Attorney General who made that suggestion. The clause in the Act requiring the Treasury to consult with a Commission to be appointed for that purpose was introduced at his instance. That, however, was not a clause that took from the Treasury their control and responsibility: and no excess of the original estimate, or extension of the buildings beyond the site originally proposed, could be agreed upon by that Commission, without rendering it necessary to come again to Parliament for further powers. The hon. Member for Whitehaven had correctly quoted his (Sir Roundell Palmer's) statement to the House that the late Government had done the best they could to ascertain for what sum the buildings could be erected. They had obtained the advice of Mr. Pennethorne and Mr. Hunt, who both thought that the estimate of £750,000 might be sufficient for the cost of the building. He (Sir Roundell Palmer) had, however, added at the time that, when a building was begun it was possible to exceed any estimates that might be made; but he stated that the Treasury were determined to watch narrowly over and check the expenditure, and to prevent any extravagant outlay upon ornament and decoration as distinguished from useful work. When we got into the region of architectural beauty it was impossible to impose any limit, and it was for the House to consider and determine what should be expended for the sake of architectural beauty. The primary object was to obtain practical utility, and there was reason honestly to believe that if no unnecessary ornament were adopted the buildings originally contemplated might be erected upon the site, and for the sum originally proposed. It was the duty of the Commissioners, at the outset, to inquire, and they did inquire, into the question of the probable sufficiency of the site, and of the outlay, provided for by the Act. They did so; and upon the evidence laid before them, they signed the necessary certificate upon that subject; but they had not, and could not have, before them, any definite plans; and they did not, and could not, take into account, for the purpose of that preliminary estimate, any excess of cost, or any extension of the site, which might result from any subsequent enlargement of the original design, or from any regard to considerations of architectural beauty. It was quite consistent with this, that the Commissioners might afterwards recommend the execution of the work, for the sake of greater perfection and public convenience, in a manner which, if sanctioned by Parliament, might involve greater space and increased cost. It was true that the Commissioners thought it would be an advantage to have additional land, not that the land was absolutely necessary for the work, but that the work would be made more perfect and the results more satisfactory if it were taken, of course, with the consent of Parliament. The Commissioners did not change their minds as to the practicability of erecting courts and offices on the site originally proposed for the sum that had been named; but they believed that if the opportunity of taking additional land was now lost that land would consequently acquire an increased value, and when it ultimately had to be taken the public would have to pay a great deal more for it. The Commissioners recommended, therefore, that an application should be made to Parliament for taking additional land; but the execution of the work would not necessarily depend on that land being taken. He could confirm the statement of the hon. Member for Stoke-upon-Trent (Mr. Beresford Hope) that neither directly not indirectly did any suggestion emanate from the Commissioners to any of the architects as to the style they should adopt in their designs, or the estimates they should make. They were simply told what were the practical requirements of the building, and no doubt this information was given in an ample and detailed form. The result was that the architects had produced designs and estimates according to their own taste and judgment, and the designs they had produced were doubtless of a highly decorative, ornamental, and expensive character, going (it might be) far beyond what would be absolutely necessary for the completion of the work, even with some reasonable regard to architectural beauty. Neither Government nor the House was obliged to adopt any of those designs or estimates. Of all this decoration and ornament a great and expensive part might doubtless be cut off, and the designs might be modified in any manner which might be thought proper; but when the architect was selected, it would be for the House to consider how far it might be expedient to expend, for the purpose of adorning the metropolis, more money than was absolutely required to carry out the practical object in view. He had no intention to say a word that would prejudice that question whenever it might arise; but he thought nothing could be more unjust than to say that the original project was one that had proceeded on insufficient grounds merely because the Commission had invited plans which were not to be limited to the exact area at present authorized to be taken, or because the architects had produced designs of a highly ornamental character and great beauty and extent, and had estimated their cost at very considerable sums. If it were thought desirable to accept one of these designs Parliament would be asked to sanction that step; if it were not thought desirable, the work might be executed on a scale of less completeness, and inferior architectural beauty, but still to the great practical benefit of the administration of justice.

Mr. POWELL said, he trusted that before the debate came to a close the House would be satisfied that the expense of the site for the New Courts of Justice would not be so much in excess of the original estimate as the expense of the building seemed likely to be. With reference to the source from which the money was to be obtained, he must remind the House that it would be raised by means of a charge in the nature of an annuity upon the fees; but the question for the House to consider was whether, for the sake of erecting a handsome building, it would consent thus to increase the cost of litigation of Her Majesty's subjects. As far as the excess of the cost over the original estimates was concerned, it could not fail to be remarked that the estimates of the architects, whose calculations were based on prices ranging, say, from 9*d.* to 13*d.* per cubic foot, were far from extravagant, yet it appeared that they never expected anything else; for one of them had recorded the opinion that, considering the large space to be covered, the building could not possibly be raised for £750,000; while another indulged in a sportive vein, declaring that "he never expected that the building could be erected for anything approaching to £750,000, and he supposed every one else who knew anything about it felt the same." No one for a moment doubted the high character of the judges of the designs; but it was a fair ground for apprehension that six gentlemen, engaged in active life, and not all of them accustomed to the consideration of large questions connected with Art, might find some difficulty in supplying themselves with all the information that was necessary for arriving at a sound conclusion. He knew that some anxiety was felt that those who had to supply this information to the judges should be without any prejudice in favour of any particular architect or any particular style; and if there was any hesitation in arriving at a decision, he trusted that it might not be thought objectionable to appoint two or three architects to make a report more fully illustrating and explaining the nature of the designs. He did not agree with the unfavourable criticisms of the hon. Member for Whitehaven (Mr. Bentinck) upon the designs. Fault might perhaps be found with some of the details; but their general conception was eminently creditable to the architects; they showed the high degree of architectural skill now existing in the country; and if preserved (as he understood they were to be), they would prove hereafter that we do not live in an age of degenerate Art, but in one in which Art had attained great nobleness and richness, in proportion to the increase in the national magnificence and splendour.

Mr. CARNEGIE said, there could be little doubt, from what had been stated, that some of the architects had disregarded the instructions that had been given with regard to the cost of the building. They reminded him of those troublesome tradesmen who, when asked for a particular commodity, would insist in offering another and more expensive article, which they said was a great deal better. He hoped the hon. Gentleman (Mr. Bentinck) would persevere in his Motion. The designs might be very beautiful, but they were not the things that were ordered, and he hoped they would only be regarded as so many advertisements of the skill of the architects.

Mr. DILLWYN said, he quite agreed

with the hon. Member for Whitehaven (Mr. Bentinck) that some responsible Minister of the Crown ought to undertake the control of such a large expenditure as that which was contemplated for the New Law Courts. This was another illustration of the practice, which could not be too severely watched, of the House being asked to vote hundreds of thousands of pounds without any satisfactory explanation from any responsible Minister.

Mr. COWPER said, he wished to assure his hon. Friend that there was no question at issue as to relieving the Government from responsibility with respect to the erection of the buildings to which the Resolution related. The Commission had been appointed simply to consider and Report on the subject, and to collect information, which they had done with great accuracy and success, for the preparation of detailed instructions in reference to the plans. On that Commission all branches of the legal profession, including several Judges, were represented; for no persons, it was thought, were likely to arrive at a sounder conclusion as to the requirements of the New Courts than those who would have to occupy them. It was quite true that when the Commissioners came to consider those requirements with regard to the future, they took a more enlarged view of the extent of accommodation which would be necessary, than entered into the contemplation of the Government when the Act was passed. The estimate of £750,000 was, he still maintained, quite adequate to secure the amount of space which it was then intended to provide. The Commission were, however, of opinion that as a great structure was to be erected in which all the Law Courts were to be concentrated, it would be a pity to lose the opportunity thus afforded of going beyond the immediate wants of the hour, and providing for those of some years hence, as well as of combining with the building offices which were not absolutely required, but which they deemed it desirable to have concentrated. The schedule, consequently, on which the architects had to proceed embraced a much larger number of rooms than was at first proposed. Next arose the question whether the Government or the House were committed to the expenditure involved in the estimates of these designs? His answer was that it would be quite open to the Government, after an award had been made on the designs, and an architect appointed, to determine that the building finally to be erected should contain no more accommodation than was originally intended. The excellence and talent of the designs would be admitted by almost every one, except the hon. Member for Whitehaven, who, although very fond of talking about Art, and claiming taste and knowledge, had showed himself on all occasions to be quite incapable of seeing any merit in the style best fitted for this purpose. The Motion of the hon. Member for Whitehaven, therefore, merely endorsed the adoption of the course that it had been intended to follow from the beginning; and as far as the complaints of the hon. Gentleman regarded the expense of the designs, he would remind the House that not a farthing of it would be paid out of the Imperial revenue. For the £200,000 to be advanced from the Consolidated Fund, a full consideration was given in the unused buildings — the value of which was believed to be in excess of that sum, while the balance would be obtained partly from the Surplus Interest Fund hitherto invested in Government securities, and partly from the Court Fees, which it was very properly proposed to levy upon the suitors who would have the benefit of the new building.

Lord JOHN MANNERS said, that as the appointment of the Commission had been decided upon before the present Government came into office, he thought it right to allow a Member of the late Administration to explain the circumstances of the case before he ventured to speak on the subject. Having heard from the right hon. Gentleman who had just sat down that explanation, he had no wish to add to it a single word. One or two remarks had, however, been made in the course of the discussion to which he thought it right that he should reply. It had been stated that recourse had been had to the advice of two gentlemen of great eminence—Mr. Pennethorne and Mr. Hunt—and that, in accordance with their advice, the sum of £750,000 had been fixed on as the cost of the new buildings. That, no doubt, was so; but subsequently to the making of that estimate a very considerable addition to the building was proposed, and it was quite clear that a sum which might be adequate to the carrying out of the plans of 1865 might be totally insufficient for the execution of those of 1866. It was therefore unfair, under those altered conditions, to charge either those two able gentlemen with having submitted inadequate estimates, or the distinguished architects who entered into the competition with having produced in the latter year elaborate designs which, if adopted, would involve the expenditure of £1,000,000 or £1,500,000. He gathered from what fell from the hon. and learned Member for Richmond (Sir Roundell Palmer) that, in his opinion, a considerable saving might be effected by diminishing the amount of ornamentation. He thought, however, that that was to a great extent a fallacy, for he could not think that any very considerable reduction could be made in that way. The Secretary of State for War had often said that if the House would let him know the number of soldiers to be voted he would state what would be the cost of maintaining them. The same rule might be applied to buildings, for if they told the architect or builder how many cubic feet of building was required, he would be able to arrive at a pretty accurate estimate of the expense. Of course, everything would be done with a view of keeping the expenditure within reasonable bounds; but he must say that any Motion which at the present moment would intercept altogether the action of the Commission would be a great misfortune. He was not there to defend the origin of that Commission; but as it had been intrusted with this immense work, and had sustained all the weight and labour of the preliminary stages of this gigantic undertaking, and as they had, in a manner certainly abnormal, but with sufficient reason, appointed judges who were actually on the point of commencing their important labours, it would not be right for the House of Commons to turn round and throw the whole responsibility upon Her Majesty's present Advisers. Under these circumstances, he joined in the wish expressed by several hon. Members that the present Motion might be withdrawn.

Amendment, by leave, *withdrawn*.

Question again proposed, "That Mr. Speaker do now leave the Chair."

INDIA—THE MAHARAJAH OF MYSORE.

QUESTION.

SIR HENRY RAWLINSON rose to ask the Secretary of State for India, If the Government has come to any decision on the recent appeal of the Maharajah of Mysore with regard to the succession of his adopted son; and, if so, whether he is prepared to lay on the table of the House any Correspondence that may have passed on the subject? In order to render the Question intelligible it would be necessary for him to make a few explanatory remarks, not for the purpose of discussing the merits of the case—as that would be premature pending the announcement of the intentions of the Government — but merely in order to state his reasons for asking the Question. It had been often noted that the House was disinclined to discuss Indian questions, but he could not believe that it could be really indifferent to the interests of 100,000,000 of our subjects in India. The province of Mysore was of great extent. It contained 12,000 square miles, and had a population of 3,000,000, and yielded a yearly revenue of £1,000,000. This country was under the government of a native Hindoo dynasty for many generations, but about a century ago it was conquered by the celebrated Hyder Ali, from whom it descended to his son, Tippoo Sultan. In 1799 the united arms of the British and the Nizam re-took it from Tippoo Sultan, and it was then in the power of the Governor General to have divided the territory between the British Government and its allies. It was thought advisable, however, to re-establish the old Hindoo dynasty in order that it might act as a counterpoise to the Mahomedan Governments of the South of India. For that purpose the Governor General took a boy, the representative of the ancient Maharajah of Mysore, not from a dungeon, as had often been stated, but from private life, and by virtue of a treaty with the Nizam placed him on the throne. Surrounded by parasites, and having an unlimited command of money, it was not surprising that the young Prince turned out to be a weak and dissipated ruler, though he was neither cruel nor rapacious; and in due course, under the provisions of a treaty, the British Government stepped in and sequestered the country, and from that time to this the country had been under the administration of British officers. Although there might be some question as to the grounds on which we interfered, yet the benefits conferred on the country had fully compensated for the irregularity of that interference, and he was not prepared to advocate the restoration of the old Rajah, who had now for thirty-three years been unused to the toils of government. But there was another matter on which the Rajah had some ground of complaint, and that was with respect to the right of succession. For a long time it was believed, both in India and England, that the Rajah had an intention of bequeathing his territory on his decease in free gift to the British Government, and the probability was that, if he had been restored, he would have done so. But being disappointed in respect to his restoration, he lent his ear to other counsels and adopted a son and heir as his successor, according to the Hindoo law. Now, the Home Government had disallowed this claim to appoint a successor, and it was this point which he wished to bring under the notice of the House. The question might be considered both in a legal and in a political point of view. Firstly, whether the Rajah really had any right to appoint a successor; and secondly, whether it was expedient on our part to acknowledge that successor? It was contended by the late Government that the Rajah had no right whatever to appoint a successor; it was maintained that his claim to the throne was purely personal, as he had attained his position in virtue of a personal treaty, the conditions of which he did not observe, and thereby allowed his territory to be sequestered by the British Government. In reality, however, the Rajah did not become Sovereign of Mysore in virtue of any treaty whatever with us, either personal or perpetual. He acquired his position in virtue of our treaty with the Nizam. When once he was placed on the throne and declared to be a Sovereign he acquired all the rights inherent and indefeasible in a Sovereign, and one of those was the right of hereditary succession, and sequestration did not invalidate that right in any respect. The article which authorized sequestration in case of the non-fulfilment of obligations, which he read, contained nothing to invalidate the rights of the Pasha as an independent Sovereign, or to interfere with his leaving his territories to a successor. In reality, the payment of the subsidy had never fallen into arrear; where we were authorized to sequester territory merely as the equivalent of a deficiency we had sequestered the whole country, and what was to be temporary we had made permanent. Courts of Justice had, however, repeatedly ruled that the position of the Rajah was that of an independent Sovereign, and that Mysore was foreign territory, where a writ issued from a British Court of Judicature could not be executed. The Rajah, indeed, was admitted to be an independent Prince, although he lived as a private person, and it seemed an arbitrary exercise of power to disallow his right to appoint a successor. It must be remembered that in India the law regarded an adopted son in the same light as a natural born son, and to disinherit him was equal to saying that the property of a man who had been temporarily deprived of its administration—by the decree of a Commission of Lunacy for instance—should lapse to the Crown upon his death. If the legal view of the case was strong, the moral and political one was much stronger. Some years ago there was a perfect rage for the acquisition of new territory in India. Principality after principality was annexed, the annexation mania culminating in the acquisition of Oude, which was closely connected with, if it did not originate, the Indian rebellion of 1857. After the extinction of that rebellion a new era was inaugurated under Lord Canning. A Royal proclamation was issued, which had been described as the Magna Charta of India, confirming to the Native Princes their personal rights, their dignities, and privileges. Supplementing that proclamation, there came the famous despatch of Lord Canning, declaring that on the failure of natural heirs the adoption by Native Princes of a successor would be recognised, and that nothing should disturb that arrangement so long as the family was loyal to the Crown and observed the treaties faithfully. When the Rajah first expressed a wish to adopt a son, and signified the fact to the Governor General, a difference of opinion prevailed in the Council of India, to whom the subject was referred, and a vague answer was returned, leaving the question open. It was on record that there were two dissentients in the Council, Sir Frederick Currie and Sir John Willoughby, even in this preliminary stage of the matter. Subsequently the adoption actually took place, and on a second reference to England was formally disallowed, although three of the most experienced Members of the Council of India, Sir George Clerk, Sir Frederick Currie, and Captain Eastwick, again recorded their dissent. That was the position of the case at the present time. It was considered that under the operation of the last order, in the event of the death of the Rajah, by some formal act of annexation the Rajahship of Mysore would be at an end, and the territory would be incorporated with the British dominions in India. Now, what effect would such a measure have on the feelings of the Natives in the face of the proclamation of Lord Canning? They would certainly see in it a mere desire to annex large revenues to the British Government. The other great Princes of India were in a position very similar to that of the Rajah of Mysore; and if in the treaties with them heirs and successors were not mentioned, we might, on their decease, say that they were Sovereigns for life only. The case was one of great importance, involving, as it did, the good faith and honour of this country. There were two other points which it was important that the House should also take into consideration, one being the general question of annexation, and the other the present state of India. With regard to the general question of annexation, he heartily agreed with the principles which Lord Canning had laid down in the despatch which he had previously read, and in which he stated that our supremacy would never be rightly accepted and respected so long as we left ourselves open to doubts, which our uncertain policy had justified, as to our ultimate intentions towards Native States. For the civil government already our English officers were too few for the work on their hands, and the annexation of territory would not make it easier to discharge our existing duties. To these sentiments he would add one or two remarks which seemed to him of great weight. It was his firm belief that independent Native States, under a good and friendly Administration, were a source of strength and not of weakness. They were a source of strength because, in the first place, they furnished a sort of safety-valve for the exuberant Native energy which could not find employment under our rule, and which, while unemployed, fermented and was a source of danger to us. They were valuable also as a breakwater to disaffection and mutiny; it had been said that the existence of the Native States of Hyderabad and Gwalior had really been the means of saving Madras and Bombay in the Mutiny of 1857. And Lord Canning had left it on record that but for the loyal Native States in the North West the tide of the mutiny would have swept in one wide wave over the country, from the borders of Bengal to the Indus. It was mainly owing, indeed, to the fidelity of these Native States that we were able to make head, and ultimately to suppress the rebellion. They should bear these things in mind, learning from the experience of the past how to act in the future. He had studied the subject with much care, and he believed that never in this century had it been of more importance than at present to conciliate Native feeling in India, and to endeavour to rule the people through their affections rather than through their fears. India at present was in a transition state both from within and from without, and it mainly depended upon our conduct during this interval of trial whether the crisis would end to our weal or to our woe. When he said that the country was "in a transition state from without," he alluded to an entirely new phase in our Indian rule, which was now imminent. India was rapidly coming in contact, for the first time, with the other great European Powers—he referred to the conquests of Russia in Central Asia on the one hand, and on the other to the opening of the Suez Canal, by means of which we might expect to see the swarming fleets of the Mediterranean transferred to the Indian seas and coasts. An entirely new phase was thus opening to India in her foreign relations; and the change in the interior of the country itself was even more important. India, indeed, was just now awakening from the lethargy of centuries. The country was stirred from one end to the other by the contact of European industry and civilization, but was not yet penetrated with its quickening influences; and it depended on the spirit in which the Government was conducted whether the change now in progress would lead to good or evil results. If we betrayed a sordid or scornful spirit, if we disregarded Native feeling, and proclaimed the doctrine of "India for the English," then the stronger and wealthier India might become, the more would the differences of race be deepened, the more would religious hatred become intensified; and if we continued to retain the country it would be at the expense of such a drain on our resources that it would be questionable whether it would be worth the cost. But if we acted with kindness and forbearance, if we led rather than drove, if we governed India for the Indians, then we might expect that in due course that great country would become the most loyal and the most prosperous, as it was already the most fertile and the most populous of all the dependencies of the British Crown. He would only further remind the noble Lord (Viscount Cranbourne) that since the last orders were sent to India a very numerously-signed petition had been presented to the House in favour of the Rajah's claim to adoption, and that a deputation had also waited on him last year to advocate the same cause, so that they might consider the whole question to have been re-opened and re-considered. He begged, in conclusion, to ask, Whether the Government has come to any decision on the recent appeal of the Maharajah of Mysore with regard to the succession of his adopted son; and, if so, whether they were prepared to lay upon the table of the House any Correspondence that might have passed on the subject?

Sir **EDWARD COLEBROOKE** said, he wished to say a few words in support of the appeal made to the House and the Government by his hon. Friend, because he felt that the position in which India stood was one of great difficulty and danger. If the decision of the late Government were allowed to take effect, it would carry dismay to the Native Indian mind, which would not be able to understand the grounds upon which it rested. When the question of the assumption and seizure of the Native Principalities arose it did not meet with the attention which it deserved, but opinions were expressed at the time which gave rise to those feelings of alarm which his hon. Friend had described. On that occasion Lord Dalhousie, who had only lately arrived in the country, announced in broad terms his opinion that the time had arrived when the Government should lose no lawful opportunity of extending their territory, though, at the same time, they should pay the most scrupulous regard to the rights of others. No wonder such a declaration caused alarm. He endeavoured to draw the attention of the House to the subject, but it was one to which the House would not listen at the time. The question, however, became aggravated from year to year, until at last the Government thought that the time had arrived to quiet the alarm which had been created on the subject. It was a remarkable fact that while those connected with the civil administration came eagerly forward to defend principles of confiscation by which their departments might be extended, those who had spent years in India, and were intimately acquainted with the feelings of the Natives, and with the law and practice on the subject, protested almost unanimously against the course on which the Government was embarking. With regard to this Mysore State, Lord Canning laid down a simple but broad principle, that the assurance as to the right of succession should be given to every chief who governed his own territory as a sovereign Prince; and it was alleged that the Rajah of Mysore was not included within that condition. It was a principle, in fact, that those cases in which sovereign rights were exercised carried with them an inherent right to succession. It was said that it was specially intended to exclude the Rajah of Mysore from the exercise of that principle; and perhaps, on the face of it, it bore that construction; but no one who knew Lord Canning would think that he entertained the idea of denying the sovereign rights of the Rajah of Mysore, for within thirty days after laying down that principle he wrote again on the subject of that Mysore State, expressing his hope that the titular ruler of that State might eventually be induced to bequeath his power to the British Government. His territory had been administered for more than forty years by British officers, and he admitted that this fact entitled the English Government to impose such conditions as might appear called for; but he maintained that, as a matter of right, the succession ought to be recognised. The present Governor General had described the Rajah as a dependent Prince, possessing only such personal rights as had been conferred on him by treaty; but that despatch was written in ignorance of all the facts of the case, and tended to re-open all those questions which Lord Canning had settled. It was true that the British Government at one time made a treaty with the Rajah in perpetuity, in which no mention of his heir was made; but he contended that the Rajah's rights of sovereignty did not depend upon that treaty, and a previous treaty between the same parties recognised the Rajah as sovereign of Mysore. The claim we had to interfere with the territory arose out of a treaty declaring that whenever the subsidy which should be paid should fail, then the British Government would have a right to go in and occupy the place, and administer the State laws, the terms implying that that should be merely a temporary measure; and all our rights depended upon that treaty. He hoped the British Government, in deciding this matter, would maintain its character for good faith.

VISCOUNT CRANBOURNE: Sir, this is beyond doubt a very important question, and has attracted a great deal of attention both in England and India. It has been usually discussed with considerable exaggeration both of argument and feeling; and I have to express my thanks to both the hon. Gentlemen who have spoken upon it for bringing it forward in so moderate and so candid a spirit. The hon. Member who brought the subject forward established what I thought was a very convenient division of it, when he said he would refer first to the legal and then to the political grounds of the question; and I shall adhere to his division, because, though upon the legal ground I may differ from him very considerably, I daresay that when we come to the political question we shall be found not very widely apart. The first question upon which I want to touch, although it does not concern my main argument, is one raised by the hon. Baronet (Sir Edward Colebrooke); I mean the question of the adoption despatch of Lord Canning. I feel bound, in justice to the Governor General, to point out the reasons why I think he was justified in stating that that despatch conferred upon the Rajah no right of adoption. The simple facts of the case are these:—Lord Canning carefully excluded all those who were not in the actual government of their own territories from its operation; and afterwards, by way of an illustration of what he meant, he sent a special *sunnud* to every individual chieftain upon whom he intended to confer the right. From that list the Rajah of Mysore was excluded; and I cannot conceive any more distinct or emphatic way by which Lord Canning could announce that the Rajah was not to enjoy the right of adoption. I think that the adoption question does not arise on the present occasion. I shall therefore prefer, in the few short arguments I shall use, to lay aside the question of adoption, to treat the young man as the lineal son of the Maharajah, and to inquire into his rights as that lineal son. I hope by doing that, among other objects, to establish in the mind of the hon. Baronet opposite, and, it may be, in the minds of any of the Native Princes of India who share the fears he attributed to them, a conviction that no thought ever entered into the mind of Her Majesty's Government—I am convinced that no such thought will ever enter into the minds of any British statesmen—of disturbing these solemn grants that Lord Canning made to the Native Princes. I believe there is no right which every Government in India will regard as more sacred than Lord Canning's concession on the subject of adoption to the Native Chiefs. The hon. Baronet who brought forward this Motion rightly said that the whole of the Maharajah's title depends upon the partition Treaty of Mysore. It lies in the four corners of that treaty, and what we have to inquire is—Did the Maharajah receive a full right of Sovereignty with succession; that is, in fact, his territory in fee simple; or did he receive only a life grant? Remember that this is not the case of an ancient Sovereign whom we found in that country, or with whom we made a treaty. This is the case of a man whom we took from a house in which he was confined when a child, dying from ill-usage, and whom we rescued and placed on the Throne. Therefore, it is to the treaty alone that we must look to see whether the Maharajah has any right to bequeath or hand down to his lineal son the territory then granted to him. Now, I confess that, when I came to examine this question carefully, though I was naturally in no way prejudiced in favour of the views of my predecessor, but I was quite surprised at the doctrines and the interpretation of the treaty which several of those who argue the case of the Maharajah had taken up. The Partition Treaty of Mysore was a treaty in which the Maharajah himself had no share. It was a treaty between the Nizam and the English Government, and its object was, as its name implies, to divide the territory which conjointly they had conquered from Tippoo Sultan. The Maharajah of Mysore is not mentioned at all in the preamble. The first article of the treaty declares that certain territories afterwards named shall be subjected to the authority, and shall be for ever incorporated with the dominions of the English East India Company. The second article says that, for the same reasons, certain districts afterwards specified shall be subjected to the authority and for ever united to the dominions of the Nawab Nizam. Then again, for reasons therein stated, the fortress of Seringapatam was to become part of the dominions of the said Company, in full right and sovereignty for ever. In each of these three articles the greatest care is taken to say that the grant is one "for ever"—first to England, and then to the Nizam. Then comes the fourth article, which declares that a separate Government shall be established in Mysore; and it is stipulated and agreed that for this purpose the Maharajah of Mysore, a descendant of the ancient Maharajahs, was to possess the territory thereinafter described. There is not one word in the article about sovereignty, perpetuity, or inheritance. Now, I cannot imagine that if you were dealing with any other case—with a case, for instance, of private property or International Law in Europe—you would doubt for a moment that with a contrast so striking between these several articles, the intention was that to the Maharajah alone should the grant of that territory be made, and that it should be reserved for subsequent decision what should be done with that territory after his death. The hon. Gentleman who introduced the question said that there were many Indian treaties from which the word "perpetuity" was excluded, and that there was no Native Prince in India who would feel himself secure if on that ground we disputed the right of this young Maharajah. I see that that statement was also made by a very distinguished member of the Council, with whom the hon. Gentleman is familiar. Now, I went very carefully through the seven volumes of Indian treaties to ascertain whether that was the fact. I am bound to say, that wherever territory is granted, as a rule the words of perpetuity are carefully inserted. There are some slight exceptions in the case of rectification of frontier, and where agreements are made with well-known reigning houses, with regard to whom it was wholly unnecessary to insert those words; but as a rule they were inserted, and I cannot subscribe to the doctrine that even if the case of Mysore and that of other States were analogous, such a construction would imperil other Native Thrones. But the case of Mysore stands by itself. There is no other case like it in India. The hon. Gentleman talked of Scindia, Holkar, and the Nizam. Well, but we found those Princes on the Throne. They were reigning Sovereigns before our time, and it was immaterial with regard to them whether we put into treaties with them words of perpetuity or not. But this man derives his rights from us, and it is only to us that he can look for the exact definition of them. But there was one analogous case—the case of Sattara. That was exactly the same case of a territory carved out of a conquest, and given to the descendants of those who formerly reigned in the same region. But in the Sattara treaty the words "of perpetuity" are carefully inserted. Therefore the case seems to me complete that, so far as the construction of the treaty can guide us, the son of the Maharajah has no right to succeed to the sovereignty of Mysore. If that be so, I need hardly add that it is not necessary to enter into the question of adoption, because what the lineal son has no right to, it is clear that the adopted son cannot claim. I must therefore express most emphatically the opinion of Her Majesty's Government that the rights conferred upon the Maharajah of Mysore by the Partition Treaty terminate with his life. So much for the legal question. Now for the political; and here, I think, the case assumes a different aspect. The hon. Gentleman is quite right in saying—although I do not think the feeling is very logical—that there exists a considerable feeling among many distinguished Princes in India in regard to the policy of the Government in this case. I am sorry that the hon. Gentleman introduced the question of fear into the argument that he presented to the House. I not only disclaim being actuated by such a motive, but I must state, in the most distinct manner, that there does not seem to me to be the slightest occasion for any appeal to our fears in this instance. I believe that we were never safer in India than at the present moment. There never was a time—whether we have to rely on our swords, or whether, which I hope is now the case, we may rely on the sense which the Natives entertain of the justice they may expect from us, or the security which our Government confers upon them —when we had a better right to calculate on the stability of our power in that country. But that fact does not in the least diminish our desire to calm the minds of the influential feudatories who are in alliance with us — to do anything consistent with our duty to India, which may be pleasant and agreeable to their feelings. And therefore I freely admit that the wishes which have been expressed by several distinguished Princes on this subject have much weighed with Her Majesty's Government. Not that we concede to those Princes any right or title to interfere in this matter. But the feelings between us are naturally those of amity. We know that we are together engaged in a great work, which will task the strength of both of us. We are aware that the object we have in view will be much facilitated, and that we shall more readily obtain the good Government we seek, if we work thoroughly and heartily together, and if no jealousies disturb our common action. But there are other considerations, and I think the hon. Gentleman stated them very fairly and eloquently. I do not myself see our way at present to employing very largely the Natives of India in the regions under our immediate control. But it would be a very great evil if the result of our dominion was that the Natives of India who were capable of Government should be absolutely and hopelessly excluded from such a career. The great advantage of the existence of Native States is that they afford an outlet for statesman-like capacity such as has been alluded to. I need not dwell upon other considerations to which the hon. Gentleman so eloquently referred; but I think that the existence of a well-governed Native State is a real benefit not only to the stability of our rule, but because more than anything it raises the self-respect of the Natives, and forms an ideal to which the popular feeling aspire. It is not therefore the intention of Her Majesty's Government, whenever the Maharajah dies, that the State of Mysore shall be annexed. But then, if not annexed, what is to be done with it? Well, I must say that I do not feel inclined to adopt the opposite alternative. I do not think it would be consistent with our duty to hand it back to a Native Government unchecked and uncontrolled. The House will excuse me, I am sure, from entering into any further details on that subject. But no one can have examined the records of the Commission that inquired into this subject after Lord William Bentinck assumed the Government of India, without feeling that to such a course there are insuperable objections. Then the question really amounts to this—how far will you go in giving to this young man a share in the Throne and the Government of the territory that his father possesses? It is from no other feeling than a real belief, which I think is justified by the facts, that the time for a decision has not arrived that we hold that the decision of this question must be deferred. It must be obvious to anybody who reflects upon the subject, that the character of a Native Government, and the amount of blessings it is likely to confer upon the people, must depend more than is the case in our part of the world upon the character of the individual ruler; and nobody can tell what will be the character of the adopted child of the Maharajah. When this youth shall have advanced in years—when he shall have reached some twenty years of age—it will probably then be possible for those who may be charged with the responsibility of the Government of India to decide whether he is likely to imitate the bright example which has been set by the Native ruler of the neighbouring State of Travancore, or whether he is likely to fall into those habits of prodigality and favouritism which are among the besetting sins of Indian Courts. We shall leave the decision of that point to those on whom the responsibility will properly devolve. It is the wish of Her Majesty's Government by no word or action to fetter that discretion, or to bind beforehand the judgment of those who will have before them the facts with which we are now unacquainted, and who will therefore be better qualified to adopt the conclusions to which they may legitimately lead. But there is even yet another consideration. As the hon. Member justly said, the state of India is now one of transition. It is a state of rapid and violent transition; and no man can tell what the needs of that country will be ten or fifteen years hence. And, whatever treaties or engagements may be entered into, I hope that I shall not be looked upon by Gentlemen of the Liberal party as very revolutionary if I say that the welfare of the people of India must override them all. I quite admit the temptations which a paramount Power has to interpret that axiom rather for its own advantage than its own honour. There is no doubt of the existence of that temptation, but that does not diminish the truth of the maxim. Therefore, I should be sorry now to pledge any future Government to any course which might honestly and clearly seem to be at variance with the interests of the people of Mysore. But, reserving that point, as far as we can see it may well be hoped that a practical share in the Government of the whole or a portion of the country—probably that would be the best—might be given to this young man. I am only stating my own individual opinion—merely stating what the circumstances of the case as they stand before us now may seem to justify. But I wish again to repeat that I am uttering no pledge. We leave the decision of the case to those on whom the responsibility of that decision must rest. Our only object now is to so order our proceedings that they should be able to arrive at an easy and just decision. When the present Maharajah dies no change will be made in the form in which the Government of Mysore will be conducted. As to the young Maharajah, if we have the opportunity to do it, of course we shall be glad to do all we can to give him the advantages of a European education, and so prepare him, to the best of our ability, for the responsibilities which we hope it may one day be possible to commit to him. I need scarcely say that, of course, proper arrangements will be made for maintaining him in a condition suited to his rank; but beyond that, I think I should do my duty best by pledging the British Government no further. With reference to the last part of the hon. Gentleman's Question, I will only say that the despatch in answer to the application of the Maharajah of Mysore will be laid on the table; and it will then be competent for him, if he does not approve the views of Her Majesty's Government to ask for the opinion of the House on the subject.

ADMINISTRATION OF THE LAW.

OBSERVATIONS.

SIR ROUNDELL PALMER:* Sir, I am sure that no apology will be thought necessary from any hon. Member who endeavours to call the attention of the House to any defects which may appear to him to exist in so important a part of our institutions as the judicial system of this country. Were it otherwise it would, I think, be easy to give special reasons at the present moment for undertaking that task. In the Speech from the Throne, at the opening of this Session, we were told that our attention would be called

> "To the Consolidation of the Courts of Probate and Divorce and Admiralty; and to the Means of disposing, with greater Despatch and Frequency, of the increasing Business in the Superior Courts of Common Law and at the Assizes."

It will be obvious to all who reflect on the matter that this is a subject which invites our consideration as a whole. Whatever may be the views of the Government of which we are now imperfectly informed—the present is a fitting opportunity for passing in review the whole of the subject to which our attention is thus called. The question discussed at an earlier part of this very evening—namely, as to the measures in progress for the erection of new Courts of Justice to facilitate the administration of the law, affords an additional reason for now bringing this matter forward. There is, also, another advantage in considering this subject at the present time, because we have now, and for a long series of years have had, such an administration of justice—as far as the Judges personally concerned are responsible for it—as disarms all censure or criticism, and deserves the strongest and warmest acknowledgments. Whatever defects I may endeavour to point out are defects in the system, not at all attributable to those whose duty it is to administer it. They have done all in their power, I believe, in every branch of our judicial administration, to encounter and overcome those defects. The Government have not yet had an opportunity of explaining to us their intentions as indicated by the passage I have read from Her Majesty's Speech. A measure, however, has been laid on the table of the other House of Parliament with reference to the Courts of Admiralty, Probate, and Divorce, which, if adopted, certainly will have one good effect—namely, that of relieving the Courts of Common Law from a duty lately imposed on them which it has been impossible for them conveniently to discharge, and which no doubt requires to be otherwise provided for. It is also said that we may expect a proposal to be made for a considerable increase in the number of Judges in the Courts of Common Law. With respect to that, as also with respect to the measure to which I have alluded, it would not become me now to anticipate discussion. But if such a proposal is likely to be made it appears to me very desirable that we should take likewise into consideration all other causes of obstruction and difficulty which may now exist in the administration of justice in the Courts of Common Law, in addition to such as may arise merely from the inadequacy of the number of Judges. Undoubtedly, at the present moment there is a great obstruction of business in those courts. There are considerable and accumulated arrears which the Judges have not been able to keep down by all the energy at their command. That, I believe, is found to be the case both in London and at the assizes. I understand that the *Nisi Prius* list for the present sittings is exceedingly heavy, and not by any means likely to be cleared. According to the figures with which I have been furnished of Common Pleas cases there are no less than 124 remanets from last sittings, and 145 new cases, making 269 cases altogether standing for trial at the present sittings. I am informed that there is very little probability indeed of getting through the whole of the 124 remanets, and that many of them are likely to go over till next November. Of course, the new cases must also be deferred; and unless a remedy is applied to such a state of things it will tend greatly to the detriment of the interest both of suitors and the public. Then as to rules *nisi* for new trials, I learn that the list of these which stands over for argument is getting much into arrear, and that some cases which arose as long ago as February of last year are not likely to be argued till May in the present year. The special cases in the Crown Paper are equally or more in arrear. In fact, there is almost a complete block up as to a great part of the business in the Courts of Common Law. At the assizes the power of disposing of the cases under the present system is similarly inadequate. The question before us is, what are the remedies to be applied? I cannot but think that under the present arrangements of the courts there is a very great waste of judicial power, and that to a great extent that waste might be remedied by a careful revision of the whole system, both as regards London and the assizes. I would strongly urge upon the House and the Government the importance and the necessity of looking the whole question fully in the face and examining it in all its departments and branches before applying a particular remedy—which is objectionable if it be not necessary, but which ought to be applied if it is—I mean that of an increase in the number of Judges. There are obvious causes of evil for which there are obvious remedies distinct from an increase in the number of Judges, and those remedies ought to be applied whether the number of Judges be increased or not. Some of these have occurred to myself, and others have been suggested to me by persons of high authority. Looking at the question broadly, the first thing which one encounters is that there are three Courts of Common Law, with fifteen Judges—five in each court, and the first question that occurs is how far is this division of jurisdiction between these three courts necessary or useful, and how far would the administration of justice be promoted and improved by abolishing the division of jurisdictions and making the three courts practically one? There is no sound reason for retaining any part of that division of jurisdiction; it is purely technical and artificial. The Court of Queen's Bench has exclusive jurisdiction in criminal informations, and in what are technically called Crown cases, though I believe there are other Crown cases, under Mr. Waddington's Summary Jurisdiction Act, which may be taken into the other courts. It has also exclusive cognizance of certain Poor Law cases. By other forms and processes, direct or indirect, questions of precisely the same nature may be introduced into the other courts; but, so far as relates to these particular modes of procedure, the Court of Queen's Bench has exclusive jurisdiction. The Judges of the other courts are selected from the same bar, and have in every respect the same qualifications with the Judges of the Queen's Bench. The distinction that exists is really quite arbitrary, and I maintain that it ought to be abolished. Whatever arrangements it may, at any time, be found convenient to make, for the distribution of business among the Judges, can, of course, be made; but there is a great difference between such arrangements, and an exclusive jurisdiction. I say the same thing of the special jurisdiction of the Court of Exchequer. Revenue causes are tried in that court only: though petitions of right against the Crown, which may throw heavy charges upon the revenue, may be taken to any court. The Court of Common Pleas has less of peculiar jurisdiction; but that court only has cognizance of registration cases. I advocate the abolition of these technical and arbitrary differences altogether, and I would make all the courts practically branches of one, having a uniform jurisdiction, and capable of taking any business without distinction. I do not think the time of the Judges is now so occupied as that the most is made of them. Four Judges sit in a court at a time, and one often leaves in the middle of the day to go to Chambers. A great amount of *Nisi Prius* business accumulates for what are called the after-term sittings. Let three Judges constitute a full court, let one or more, if necessary, from each court sit at *Nisi Prius* all through term continuously as well as afterwards, and then the great arrears of business would be kept down. The sitting of Judges in Chambers might be greatly reduced or entirely abolished, the routine and uncontested business should be done by the chief Masters, and it should be in the power of suitors to put down in a list the cases which they wished to have disposed of before a Judge. One Judge, when not required to sit at the Central Criminal Court, might sit alone to dispose of practice cases, and in that way a considerable saving of the time of the Judges would be secured. In the Court of Chancery we do not permit suitors at their option to accumulate a list of arrears in one court, while other courts are insufficiently supplied with business. In the first instance, the suitor selects his own court, and when he has done so, and the case is ripe for hearing, if one court is overburdened and and another ill-supplied, cases are transferred from one court to another, and so the business is equalized and expedited. In the Courts of Common Law, there is at present no such power. Cases cannot be transferred from the Queen's Bench, to the Common Pleas or the Exchequer. One man favours one court and another man another. One court has a lack of business, while another is overburdened with arrears; but if the cases were transferred, a great deal of time might often be saved. It has also been suggested to me that in moving for new trials and in other matters there is a double process, which, in many cases, might be advantageously abolished. There is the motion for the rule *nisi* in the absence of the enemy, and there is the further argument when the enemy shows cause. Why should it not be here as in the Court of Chancery, where you summon your adversary by notice of motion in the first instance, and the matter is argued once for all? Why should not the party have at least the option to move upon notice for his rule absolute at once, some economy of time might result from the adoption of this plan. Another matter has often struck me with surprise, although I cannot say how far it occupies time. If there are issues of law joined by demurrers, and also issues of fact, although the issues of law may entirely exhaust the merits of a case, and the determination of them often settles the question between the parties; yet, they must, if they wish to go to a Superior Court upon the point of law, unnecessarily try, perhaps at great expense and delay, the questions of fact, upon which if the judgment is right nothing will depend. In the Court of Chancery, if a demurrer is allowed to a bill the matter goes to a Court of Appeal, and there is an end of the case unless the judgment is reversed, in which case the questions of fact are re-opened. Why should there be a trial of facts, when it is settled that it will be of no use unless the Court of Appeal should reverse the judgment? The good sense of parties often leads to an arrangement; but, on the other hand, there are cases in which the unnecessary trial is not avoided, and when there is no necessity for it, it must be a vexatious and useless waste of money and time. Another important matter to be considered is the relief of the Superior Courts from business which might be better disposed of elsewhere. There are two ways of doing that—first, absolutely excluding a certain class of cases which the County Courts have jurisdiction to try, and in which they might be trusted to do full justice; and secondly, imposing discouragements in the way of costs upon parties who, without good reason, choose the more expensive instead of the cheaper and simpler process. I have high authority, both of experienced Judges and of members of the Bar, for the principle of this recommendation. That many frivolous cases would be got rid of by compelling the parties to try them in the County Courts, unless a Judge saw special reason for their being tried in a higher court. I do not pretend to name the precise amount at which the line ought to be drawn, but I doubt whether any harm would be done by taking it in cases of contract at £50. Some might put it lower, but that would be a matter for consideration. It would probably not be right to apply, in all respects, the same rule to actions founded on wrongs. There may be cases such as libel involving a small pecuniary amount, yet in which, more than the verdict is sometimes at stake, and in these cases it might be unfair that the option of having them tried in a Superior Court should be wholly taken away. I venture to suggest, however, that if a person should bring an action of that description, which might be tried in a County Court into a Superior Court, without recovering more than a certain sum—say £10 or £20—he should not be entitled to costs unless the Judge should certify that the case was a proper one to be tried in a Superior Court. The adoption of that course would get rid of a number of cases which are a great obstruction in the Superior Courts, and which form an unnecessary addition to their business. With respect to the assizes, there are two other recommendations which I also venture to make with the sanction of some authority. The first and principal one is that the same practice should be adopted at the assizes in the transaction of criminal business which is followed at the Central Criminal Court. The Judges, who sit at the Old Bailey, try the more important cases, while in an adjoining room others are disposed of by the Recorder or the Common Serjeant. Now there is, I apprehend, no reason why the Judge of assize should not try the more important cases and let the others be tried before the local recorder or by an inferior Judge specially summoned for the purpose. In that way some relief might probably be obtained without any prejudice to the administration of justice. Another mode in which the same end might be promoted is by the entire abolition of separate assizes for counties of cities and towns. There is, it appears to me, no practical necessity for maintaining this separation, and if the assizes for towns were thrown into the counties to which those towns belong, and if, in some cases, the assizes for more counties than one could be held together, some time would, no doubt, by those means be saved. I have now submitted to the House all that I have to offer on that part of the case which relates to the general business of the Superior Courts of Common Law. I now come to the first subject mentioned in my notice of Motion, which I regard as a very important one, and which, I hope, may receive the early attention of the Government and of Parliament. I refer to the subject of appellate jurisdiction. We have four Courts of Appeal, two of final, and two of intermediate appeal. The two Courts of Final Appeal are the House of Lords and the Judicial Committee of the Privy Council; the two intermediate are the Exchequer Chamber, or Court of Error at common law, and the Court of Appeal in Chancery. From each of the two latter an appeal lies to the House of Lords. When that statement is made several questions of principle occur to my mind, and I should like to say a few words on those questions before I enter at any greater length into details. Let me suppose that we were about to construct, *de novo*, a judicial system, I do not think there could be much doubt that the best course to adopt would be—following the example of some neighbouring, and of, perhaps, most well-governed States—to establish one supreme court of final appeal. I cannot but hope that our efforts after improvement on the subject may take, as far as is practicable, that direction. To have two Courts of Final Appeal administering in several parts of their jurisdiction the same law, with the possibility of conflict, is, to say the least of it, inconvenient, and no sound reason can, so far as I am able to say, be given for it. Next, I would ask if the best plan to adopt be to have only one Court of Final Appeal, whether it would not be better also to have only one appeal? The contrary system, it seems to me, holds out inducements to those who are fond of litigation; and there are, therefore, in my opinion, two principles which ought to be aimed at in any reform which we may attempt. That we should, if possible, constitute a single Court of Final Appeal, and that we should, at all events, permit only one appeal in any case decided by a Superior Court. The next question is, is it expedient that there should be different Courts of Appeal in Equity and at Common Law, or only one Court of Appeal for both? The distinction between them is, as we know, in a great measure artificial, and the requirements of the times point to as great a fusion of the two as is consistent with some reasonable division of labour and the practical despatch of business. Their separation has a tendency to produce a certain narrowness, which may be corrected by bringing both together into a focus by means of one Court of Appeal. As things at present stand, we have the House of Lords administering English and Scotch jurisprudence, and the Privy Council administering not only English jurisprudence, but French, Dutch, Mahomedan, and Hindoo. Now it may be thought that English Judges, whose minds have been formed in the practice of the English law, might be incompetent to the discharge of such duties; but it is somewhat remarkable that, although no Scotch lawyer has ever taken a regular part in the judicial business of the House of Lords (Lord Mansfield and other eminent men whom Scotland has given to the English bar and bench, cannot properly be called Scotch lawyers), yet, by the general consent of those best qualified to give an opinion on the subject, the law of Scotland has derived great benefit from the mere fact that the decisions of its Judges have been reviewed by men free from

Scotch prejudices, and bringing to the performance of their duties large views of jurisprudence. Everyone who knows how the business of the Judicial Committee of the Privy Council is administered, will, I think, admit that the difficulties arising from having to deal with different laws have been by them most successfully grappled with, and that, upon the whole, a regard for substantial justice rather than mere technical accuracy has grown out of the fact, that they have to administer justice in accordance with so many different systems. The conclusion I draw from these circumstances is that our equity decisions would be better reviewed by a court which comprised some Common Law Judges than by one from which they were altogether absent, and that our common law decisions would be better reviewed in a court of which some Equity Judges formed a part than if it were confined to common law Judges alone. I contend, therefore, that a fusion of the two would be an absolutely good thing in itself. There is also another point to which I must briefly advert. The conditions on which the right of appeal is given ought not to vary substantially with the court from which the appeal is brought. Some Members of the House may not be aware that if a man wants to appeal to the House of Lords from a Common Law Court he must bear the burden of a double appeal. He has no access to that House except through the Court of Exchequer Chamber. The case, however, is not so in Chancery. An appeal may there be made from the court of first instance—passing over the Court of Appeal—direct to the House of Lords. Now, one or the other of these two systems must be wrong, and there is certainly room for improvement in this respect, even though other things should remain as they at present stand. Again, there is a remarkable distinction between the rule applicable to Scotland and that which is applicable to England and Ireland in reference to appeals from interlocutory orders. Every order made by the Court of Chancery, in England or Ireland, may be enrolled at once, and carried by appeal to the House of Lords. And in practice this facility of appeal is not abused. In Scotland, the rule is that no matter which may there be determined in the progress of a case shall be taken to the House of Lords by way of appeal until the case is finished, unless the Judges either give leave or happen to differ in opinion with respect to it. By reason of that rule, matters of the greatest importance may sometimes be hung up for a considerable time, and I cannot help thinking if not that the English rule is a better one, at least that it may be desirable that the Scotch should be made somewhat more flexible. Having made these general observations, I will address myself to each of the four jurisdictions which I have mentioned, and endeavour to point out the great necessity which exists for some reform in connection with the whole subject. I will commence with an institution which I will venture to say is the most unsuccessful and the most defective part of our judicial system—I mean the Court of Exchequer Chamber, the Court of Error at common law. I have not a word to say against the Judges who transact the business of that court; they are in no degree responsible for its failure. All that it is possible for men to do they accomplish; but the system is one which cannot be satisfactorily worked, and nothing can be more easy than to demonstrate to any one, however unfamiliar he may be with it, the crying necessity for some reform in both its principle and practice. Taking the principle, I must first explain in what the Court of Exchequer Chamber consists. There are three Superior Courts of Common Law—the Queen's Bench, the Common Pleas, and the Court of Exchequer. By an ingenious device the Judges of each two of these courts are appointed to sit alternately in judgment upon the decisions of the third. Such a system is in many ways objectionable. It would not be difficult to put a case where the determination of the law might depend upon the mere accidental priority of an appeal. It has sometimes been found that upon difficult and debateable questions of law one court holds a view opposed to that held by one of the other two courts. Take, for instance, the two subjects of the extent to which a master is liable for the acts of his servants, or of persons in his employment, and of the extent of the liability of railway and other public companies whose operations are injurious to the property of others. Upon these two subjects considerable differences of opinion have prevailed in the Courts of Common Law, and it is possible that the law of the land as laid down by the Court of Exchequer Chamber might be determined one way or the other, according to the court whence the appeal was brought. Thus, if the appeal were from the Queen's Bench, the views of the Judges of the Court of Common Pleas, with or without the accession of one or more Judges from the Exchequer, might prevail in the Court of Error; while, if it were from the Common Pleas, the tables might be turned; so that the eventual decision of an important point of law might depend entirely upon the accidental constitution at a particular moment, of the court before which the appeal was brought. In many cases, also, by this peculiar system of appeal, the decision of the minority may overrule that of the majority of the whole number of Judges of equal and coordinate authority before whom the case has been argued. A case may be decided one way by the unanimous judgment of four Judges of the Queen's Bench, and their judgment may be reversed by four out of six Judges in the Exchequer Chamber, the other two Judges of the latter court agreeing with the decision of the Queen's Bench. Thus, under this ingenious system, the opinion of the minority of four would overrule that of the majority of six; and then, as a matter of course, the case would go to the House of Lords. The truth is that this court was intended to be a very important and solemn tribunal, composed of the whole of the judicial power of the other two courts. It was intended that if a majority of the Judges of the Queen's Bench decided one way, ten—or at least eight—Judges of the Common Pleas and Exchequer should bring their united wisdom to the review of that decision. On account, however, of the other duties which the Judges have to discharge, it has been found generally impracticable to bring together more than five or six of them for the purpose of reviewing the judgments of any of the courts—a number which gives the Court of Exchequer Chamber but little if any more weight than is possessed by the court whence the appeal is brought. Then again, the Court of Exchequer Chamber sits so seldom that it is scarcely possible for the cases to be properly disposed of by it at all. Thus, in 1866, this court sat altogether twenty-eight days, of which thirteen days were allotted to the Queen's Bench errors, eight to those of the Common Pleas, and seven to those of the Exchequer. The Courts of Common Pleas and Exchequer had each two days allowed for its errors in February, in May, and in June; the Common Pleas had also two days in November; the Exchequer one day in December; the Queen's Bench five days in February, one in April, and two in June and November. It must not be supposed that the court sat so seldom in consequence of there being no work for it to do, for there was much more business than it could get through, but the reason that it did not sit oftener was because it was impossible to get the Judges of the same two courts together oftener or for more than two or three days at a time. Thus it happens that year after year cases go on from sitting to sitting unheard; some are partly heard, and are then adjourned to some future sitting; and some are passed over when their chance appears to have come from the fear that they cannot be finished at once, and that it may be impracticable for the same Judges to be re-assembled at a subsequent sitting. Parties are sometimes induced or compelled to compromise their cases after all the delay and expense of legal proceedings have been incurred. It is also scarcely possible for the Judges of this court, amid their other pressing business, to find time for consulting together upon the cases which have been argued before them, and there are many accidents to which human life is liable that may render the opinion of the minority even of the Judges before whom the case in error was argued, that which determines the question of law involved in the appeal. A case known as the "Vibration Case" was decided the other day in the Exchequer Chamber, and it affords a good illustration of the working of the system. The question raised was as to the liability of railway companies to pay compensation to owners of property injured by the vibration caused by railway trains. The case was argued in June last in the Exchequer Chamber, before six Judges, two of whom were Chief Justice Erle and Lord Chief Baron Pollock. Lord Chief Baron Pollock resigned in July, and Chief Justice Erle in December, and in the February following judgment was pronounced by four only out of the six Judges who had heard the appeal argued, and of these four Judges one held that the opinion of the court below was right, and the other three that it was wrong; thus overruling the unanimous judgment of four Judges of the Court of Queen's Bench, with which, if the judgment had been sooner given, Sir William Erle and Sir Frederick Pollock might possibly have been found to agree.

The SOLICITOR GENERAL remarked, that the judgment in the Court of Queen's Bench was delivered by two Judges only.

SIR ROUNDELL PALMER: I may have been misinformed on that point; but that circumstance does not weaken the force of the argument, because had the judgment of the Queen's Bench been pronounced by four instead of by two Judges the result would have been exactly the same. It is, in truth, impossible now to get more than five or six Judges to attend in this court at one time. My duties took me into the Exchequer Chamber on the 4th of February last, when I found that the time allotted for hearing ten cases of error from the Common Pleas was three days, of which one, being the day of the opening of Parliament, must be regarded as a *dies non.* At that time there were three *Nisi Prius* Courts sitting; there ought to have been four or five; and Mr. Justice Blackburn was engaged in the Central Criminal Court, and the Lord Chief Justice was necessarily absent owing to ill-health. Thus, only two Judges from the Queen's Bench and three from the Exchequer could be assembled. No person can look at these facts without seeing that the Court of Exchequer Chamber is an institution which ought not to be allowed to continue, and that it is the duty of Government to adopt some means of substituting a better constituted tribunal in its place. I now come to the other intermediate court of appeal—the Court of Appeal in Chancery. Very eminent and able Judges have presided over that court, and have transacted, in an admirable manner, a vast amount of business; still, it is impossible to deny the existence of some obvious defects in the constitution of that court also. In 1851 two Lords Justices of Appeal were appointed to assist the Lord Chancellor for the first time, by Act of Parliament, on the ground of the necessity which existed for strengthening the court presided over by that noble Lord. It was originally intended that the Lord Chancellor and two Lords Justices of Appeal should sit together as one court, with power, however, of subdivision when occasion required; but since the passing of the Act, creating the Lords Justices, the three Judges have very rarely indeed sat together as a full court. At the present time, the Lord Chancellor, as a general rule, sits in one court, and the Lords Justices in another. The Legislature contemplated the possibility of the Lord Chancellor being a Common Law Judge, and therefore it was determined that in such an event he should be assisted in the Equity Courts by two Equity Judges, who were to sit with him. Every question of equity, which may happen to be reviewed in the Court of Appeal, is thus liable to be decided by a Common Law Judge. I have already expressed my opinion that the presence of one or more Common Law Judges in the Court of Appeal for Equity cases is most desirable; but that is a very different thing from a Court of Appeal in Equity, in which a single Common Law Judge sits alone. Some tribute however must, in passing, be paid to the Common Law Judges who have presided in the Court of Chancery. They sat there under undoubted disadvantages, but I must say the manner in which they overcame them merits the most pointed acknowledgments. Before my time Lord Brougham, within my time Lord Lyndhurst, Lord Truro, Lord Campbell, and the present Lord Chancellor, all of the Common Law Bar, have presided in that court; and I must say that the inconvenience which may have occasionally been felt, from the circumstance to which I have alluded, has been in practice very much less than any one could have anticipated, judging only *à priori,* owing to the very great patience and care with which those eminent men have discharged their duties. Still, the fact remains, that a Common Law Judge—and the Lord Chancellor must frequently be taken from the Common Law Bar—a Common Law Judge sitting alone as Judge of Appeal in Chancery must labour under serious disadvantages, and no doubt it would be a better constitution of the court which offered some security for having Equity Judges to assist him. Besides, the Lord Chancellor is constantly withdrawn from that court. He is absent from it four days a week during the Session of Parliament. On Wednesdays and Saturdays alone he resumes his place in the Court of Chancery. Arguments are thus unavoidably interrupted — unavoidably protracted; and no one can say that is a satisfactory state of things, if means of avoiding it can be devised. With respect to the Lords Justices, nothing can be more admirable than the administration of their court, and I do not doubt it will so continue. But, at the same time, every one must see a most patent inconvenience in the sitting of two Judges together, because unavoidably they may sometimes differ; not only they may differ, but they sometimes do differ, and the consequence in such cases is that the appeal simply fails, all the expense is thrown away, and the parties must either acquiesce in the judgment of the court of first instance, with a sense of their not having had the benefit of an appeal, or they must go further and appeal to the House of Lords. If we can devise a system that would avoid this inconvenience, it would certainly be an improvement on the present state of things as existing in the Court of Appeal in Chancery. I now come to the Judicial Committee of the Privy Council. This is a very eminent tribunal. It takes Indian and colonial Appeals; also domestic appeals of three classes—in Admiralty cases, in Ecclesiastical cases, and from the Lord Chancellor or Lord Justices in lunacy. What particular propriety there is in sending Admiralty, Ecclesiastical, and Lunacy cases to a different court of final appeal from that which determines cases in Chancery and Common Law, I cannot conceive. But that is a subordinate consideration. The court, undoubtedly, has worked well, and I cannot but think it, in some respects, a model of what a good Supreme Court of Appeal ought to be. I have no hesitation in saying that I take the constitution of the Judicial Committee as furnishing, on the whole, the best basis for the construction of such a court. Its merits are these:—It has administered a great variety of law, with great breadth of view, great regard to practical justice, comparatively little regard to technicality and mere form, and I believe greatly to the satisfaction of the country, and of the colonies and India, from which a great portion of the appeals have come. It has adopted a practice differing from that of the House of Lords in one important respect. It gives judgment by the mouth of a single Judge, usually well considered, and written or even printed, and suppresses the difference of views which may possibly exist among the members of the tribunal. I cannot but think the practice of the Judicial Committee, in that respect, a wise one—giving the authoritative judgment of the court, from which there is no further appeal, without the expression of individual opinions calculated to detract from or neutralize its authority. It has kept down business—there are no arrears, and no serious delays. Lastly and not least, it has cost, I may say, nothing to the public, for the total annual cost of the establishment is £1,500, and very nearly the whole of that is made up by the fees received for business. The business has a tendency to increase, but its working, hitherto, has been such as I have described. We cannot, however, safely rely on the perpetual continuance of the favourable working even of that tribunal. The constitution of the Judicial Committee has inherent difficulties which make it hard to keep it always going, without drawing away power from other courts. It is constituted thus:—All existing Judges of the Superior Courts of Law and Equity, and of the Admiralty, Probate and Ecclesiastical Courts, who are members of the Privy Council, are *ex officio* members of this Committee; so are all retired Judges of those courts, including ex-Chancellors. In addition to these there are two Judges specially nominated by Her Majesty. Nothing could be more excellent than the materials I have described, provided, of course, that they can be brought to bear with sufficient regularity, convenience, and despatch. We have men of great learning, great experience, and important position. But its judicial force is not such as to secure adequately the regularity of the administration of the court. Take the case of the retired Judges; of course, their number will be fluctuating. At present there are four very eminent Judges—Sir William Erle, Sir Edward Williams, Sir Richard Kindersley, and Sir John Coleridge—they have been most assiduous in their attention, as far as health and other circumstances have permitted, to the business of the court. In that respect, I do not think there could be a better state of circumstances than exists at present in the Judicial Committee. But you cannot expect that retired Judges, however mentally able and willing, should long be physically able to give a constant attention to duties of this description. They have come to a time of life when they either already do, or soon must require, the rest which they have fairly earned. You cannot rely on more than occasional and precarious assistance as a general rule from that source. Then with regard to your present Judges. The Chief Justices and Chief Baron and the Admiralty and Probate Judges, are so occupied in their own courts that their attendance is generally impracticable. The Lord Chancellor and the Ex-Chancellors are wanted in the House of Lords. With regard to the other Judges of the Court of Chancery, the Master of the Rolls and the Lords

Justices, they have been accustomed to give a good deal of their time to that court. In Lord Langdale's time the Rolls Court used to be shut up for long periods together, while his Lordship attended the Judicial Committee. That does not so often occur now; but the Lords Justices have often been withdrawn from their own court to attend the Judicial Committee. In 1864 the Lords Justices sat thirty-seven days in the Privy Council; in 1865, fifty-three days; in 1866, nineteen days; in the present year they can hardly be expected to sit there at all. I need hardly say anything about the two nominated Judges, but the retirement of one of them, a man honoured by us all, who has done eminent service to his country in the Judicial Committee for many years, and to whom, in a great measure, it owes the high reputation it enjoys—I speak of Lord Kingsdown — must be severely felt. Such being the situation of things, I will venture to state what has occurred to me as the best way of meeting all these difficulties, before I say a word on the most difficult portion of the subject, relating to the august tribunal of the House of Lords. Taking the three courts I have mentioned alone—the Court of Error in the Exchequer Chamber, the Court of Appeal in Chancery, and the Judicial Committee of the Privy Council—I am of opinion, if the House agrees with the view I have expressed, that one Court of Appeal is sufficient—that out of the Court of Appeal now existing in the Judicial Committee of the Privy Council you might, with some additions, form a most admirable Supreme Court of Appeal, capable of discharging the whole of the business which is now done by that court and also by the Courts of Exchequer Chamber, and of Appeal in Chancery. The constitution of the Judicial Committee of the Privy Council is most excellent, as far as it goes. I have no hesitation in saying that that court, powerfully constituted, with a sufficient number of Judges to render it capable of subdivision, and comprising men conversant with different kinds of law—common law, equity, and, it might be, Scotch law, as well as colonial and Indian law—would be able to dispose of the appeals most beneficially to our jurisprudence, with great satisfaction to the country, and at no very great additional cost. You might have the Lord Chancellor, though, if the House of Lords retained its appellate jurisdiction, he would be required there frequently. You might also have the Lords Justices, and all the other eminent persons now constituting the Judicial Committee of the Privy Council. You might have two or three other permanent Judges with proper salaries, chosen with reference to qualities which are not ordinarily to be found in the Judges of the Court of Chancery; and you might from time to time offer an inducement by some acceleration and increase of pension to a few able men on the Bench in England, Scotland, and Ireland, to retire from their positions and become members of this court. Some such measures as these have been suggested by high authority as necessary to maintain in efficiency the Judicial Committee, even for its present purposes. I venture also to think that those who may hereafter fill the high office of Lord Chancellor might, considering the circumstances which often deprive the country of their services in that office, be called upon *ex debito*, in consideration of their pensions (which are ample though not too great), to give their services in the Supreme Court of Appeal as they now voluntarily give them from a sense of public duty in the House of Lords. It would be thus quite practicable to form such a Supreme Court of Final Appeal as might unite the various jurisdictions now exercised by different courts, and then I should certainly recommend that the court should assemble in the same place as the other Law Courts — in the future home about to be provided for justice in the neighbourhood of those who practise the law, and not, as the Judicial Committee now does, in such an inconvenient place as the Privy Council Office in Downing Street. I do not conceive that there would be any constitutional objection resulting from the relation of the colonies to the Crown to giving such a court jurisdiction over colonial and Indian appeals, because its Judges might be, and, in practice, would be, Privy Councillors, and, being so, would be qualified to advise Her Majesty on all matters of that kind. If such a court were thus constituted, and if the House of Lords retained its appellate jurisdiction unaltered, still it would be advisable to cut off the second appeal; and I see no reason why an option, at least, might not be given to suitors in Scotland and Ireland to carry their appeals to this high tribunal, if they should desire to do so. Having ventured to make these observations, I will state what amount of judicial business such a court would have to transact, judging from the data furnished by the business of the existing courts, though by the changes I have suggested there might be some alteration in the amount of business, especially by reason of the abolition of double appeals. In 1866 the Judicial Committee of the Privy Council sat for sixty-seven days. I think it better to take the number of days than the number of cases. The Court of Exchequer Chamber sat for twenty-eight days, making together ninety-five days. From Michaelmas, 1865, to Michaelmas, 1866 (I have not the exact Return for the year 1866), the full Court of Chancery sat fourteen days, the Lord Chancellor alone sat seventy-four days, and the Lords Justices sat 127 days, making together 215 days. These, added to the ninety-five days, made 310 days in all. Thus, if the court were ordinarily divided into two subdivisions, 155 days only would be required for the discharge of the business hitherto discharged by these three courts. I now come to the subject of the House of Lords, and I should be very sorry if anything were to fall from me which might be thought disrespectful to that illustrious body, and I think it my duty to bear my humble testimony to the excellent manner in which the Judges in the House of Lords have during the whole of my experience discharged their duty. It is not from any dissatisfaction at the performance of their duty that I venture respectfully, and I hope with due modesty, to approach for the purpose of criticism that august tribunal. The jurisdiction of the House of Lords underwent consideration in 1856, when Lord Westbury recommended an opposite policy to that which I now recommend. He recommended that the jurisdiction of the Judicial Committee of the Privy Council should be transferred to the House of Lords. I cannot say that such a change would to my mind be an improvement. I own I cannot see why we might not venture even to ask the House of Lords to transfer their jurisdiction to another Supreme Court of Appeal, if there be not some strong political reasons to the contrary. It is really only nominally that the House of Lords now act as Judges of Appeal. Two or three, or four, eminent and learned Judges sit in the House of Peers, in a most inconvenient place, surrounded, no doubt, by the trappings of that august assembly, and discharge functions which they could perform equally well elsewhere. What happened in O'Connell's case? When a case involves principles of importance, political or religious, about which men's minds move in different directions, there is some danger even for Judges in a court of justice to be divided with respect to it, just in the manner which might be anticipated from their known opinions, although their decisions may be perfectly consistent with the most conscientious discharge of their duty. That happened to the Law Lords in O'Connell's case. Other Peers, however, were present who thought they might have been capable of forming an opinion on such a question, and one of those, hearing the opinions expressed by the Law Lords, thought that he, being a Member of the House of Lords, which was then exercising its appellate jurisdiction, had a right to express his opinion also. He had listened to the whole of the case, and had heard the entire argument, which he thought he understood. Accordingly, he desired to express his opinion; but it was held that neither the views nor the votes of any of the numerous lay Lords who attended at the hearing could be given. The result was that the sentence was declared against, possibly, the judgment of the majority of the Peers who were present. The majority of the Law Lords determined the matter, and some people thought they did so according to their political opinions; though that may, I believe, be accounted for without the slightest imputation being made on the character of those Judges, because on occasions of that kind general principles have a considerable influence, even over judicial minds. Still, this justifies me in saying that the House of Lords, as a great political assembly, does not now practically exercise this jurisdiction, which is in reality transferred to a small number of learned persons who, if the law allowed it, might render the same valuable service to the State in a place more suitable for the administration of justice. If, however, any value were attached to the form, that form might still be gone through, just as is the case with appeals from India or the colonies. An appeal from India or the colonies is made to Her Majesty in Council, and is referred to the Judicial Committee, who make a Report, which is afterwards adopted by Her Majesty, who gives judgment accordingly. In the same way the House of Lords might refer cases for argument and report to the Supreme Court of Appeal, and might adopt and act upon the reports of that court, though I confess I do not myself attach much importance to such forms. Whatever may be the political value of this association of the House of Lords with the administration of justice, I cannot but feel, and I think it my duty to impress upon the House, that, as things now are, this benefit is purchased at the cost of very serious public inconvenience, to which, if the jurisdiction is to continue, a remedy ought without further delay to be applied. Let us look, first, at the time which is lost under the present system. This great court of final appeal in the House of Lords sits only while Parliament is sitting: that is, for four days only in the week, during less than six months in the year. For the other six or seven months of the year, however great may be the urgency of the case, the doors of this Court of final Appeal are closed. I will give an illustration of the inconvenience which may be caused by this. Lately questions have arisen in consequence of the failure of the firm of Overend, Gurney, and Co. The shareholders in that Company have raised the question whether they are liable to its creditors. Well, if a decision on that question were given by the Court of Appeal in Chancery at the end of July, while Parliament was not sitting, it would be impossible to have the matter determined by the final Court of Appeal before the next Session of Parliament, notwithstanding the vast importance of the interests involved, and the shock which might possibly be given to credit throughout the mercantile community. I maintain that the final Court of Appeal ought to be always accessible. Then, with regard to arrears. In 1866 the House sat for judicial business on seventy-seven days only, and this Session there are forty-three cases, which are remanets from former Sessions, fourteen of them being remanets from Sessions earlier than 1866. Now this delay is felt most particularly in cases of error brought from the Court of Exchequer Chamber, in which it is often considered necessary to have the attendance of the Judges. This very day there has been a strong illustration of the inconvenience which arises. There was an appeal relating to the presentation to a church living, the parties being the Bishop of Exeter and the patron of the living. The Bishop had not instituted the clergyman presented by the patron, and the action was brought in 1858. The real issues between the parties were raised on demurrers, and decided in June, 1859; but it nevertheless became necessary to go into the trial of questions of fact, which occupied a considerable time more, and it was not until December, 1860, that the case could be taken, by way of error, to the Exchequer Chamber. In February, 1862, it was decided there, and then taken to the House of Lords, and set down for hearing. It waited four years, and then came on for argument. The argument began in June last year, and the Judges were summoned; but they were obliged to go on circuit before the argument could be concluded. The argument was resumed yesterday before Judges not altogether the same; and to-day it has had to be again interrupted in consequence of the Judges being obliged again to go to other duties. It is not probable that it can be a second time resumed before June next Now, is it possible to conceive anything more objectionable than such a system? For my part, I cannot see what is the use of the Judges attending the House of Lords in order that they may hear an argument a third time, and once more express their opinions. That practice ought, I think, to be put an end to, especially considering the pressure of their other duties, which make it most difficult for them to find time for such a purpose. But now I come to a still more important point. In order to keep up this jurisdiction in the House of Lords, you must have a sufficient attendance of Law Lords; but you cannot always find childless men who can be transferred to the House of Lords to do judicial business. Is it convenient to the Law Lords themselves or to the country that you should be under the necessity of making a new hereditary Peer as often as you have to keep up the supply of judicial power in the House of Lords? There are some lawyers who are able to leave adequate fortunes to their children. But we know from past experience that there have been eminent men to whom, and to whose families, it would have been infinitely more desirable not to have had that burdensome dignity. As long as the Law Lord himself lives the country gets the benefit of his learning and services; but his son is not a Judge in the House of Lords, nor his grandson; and unless he has been so fortunate as to be able amply to endow his family you are inflicting an evil upon them, upon the Peers themselves, and upon the country by multiplying unduly the number of hereditary Peers. Not very long since an attempt was made to remedy this evil. It was supposed that Her Majesty possessed the prerogative of creating Peers for life, and that when She did so by Her writ, they might be summoned to sit in the House of Lords; and I confess, for my own part, I have never been able to discover in what part of the law or Constitution of this country authority can be found to show that a Peer so created and summoned has not a right to sit in that assembly. However, their Lordships have so determined, and have thus practically excluded every lawyer with a family which would forbid him to accept an hereditary Peerage. Therefore, unless the appellate jurisdiction of the House of Lords can be otherwise provided for, we must go on with this system of multiplying hereditary Peerages in order to keep that House sufficiently supplied with judicial power. The House of Lords themselves have confessed that this is a very serious evil. In 1856 they appointed a Committee, and a Bill was introduced on the subject. The sense of the evil entertained by that Committee was such that they recommended that there should be two paid Judges sitting in the House, and a limited number, not exceeding four, of life Peers, to secure a regular attendance. A Bill was introduced to give effect to that recommendation, and passed the House of Lords, but was thrown out in this House. The evil has been going on ever since without remedy. As often as I hear of attempts being made to supply the deficiency I am only reminded how inadequate they are, and how much they fall short of the exigencies of the case. We have all heard that two new Judges are now to be called to the Upper House. One of these is a Judge from Scotland (Lord Justice General M'Neill), whose presence, as long as he has health and strength, will, I doubt not, be a most valuable addition to the strength of that assembly. I hope he may long enjoy that dignity and prosperity which his services to the country so richly deserve. The other is an eminent person (Sir Hugh Cairns) who was, not long ago, one of the chief ornaments of this assembly, and who will be one of the chief ornaments of any assembly to which he belongs; one who is deserving of every honour which can be bestowed upon him, and to whom we are all delighted to see honour paid; but the only thing he will not be able to do is to add to the judicial force of the House of Lords, for as long as he has to discharge the duties of a Judge elsewhere he cannot do it in that House. His presence there will be welcome to the House and the country, but the difficulty will still remain. Now, is there any real difficulty in dealing with the case? In Lord Eldon's time Sir John Leech, who was not a Peer, assisted in the discharge of the judicial duties of the House of Lords for a considerable time, and therefore there is no reason why those duties should not be discharged by men who are not Peers, if you constitute a Supreme Court. But, if that solution cannot be accepted, there can, at least, be no good reason why the obstacle, which the Lords themselves have created, to the exercise of Her Majesty's prerogative to create life Peers, should not be removed by legislation. I thank the House for having heard me with so much patience. All I have to say in conclusion is that I hope I shall not be misunderstood. I do not profess to dogmatize, or to do more than propose to the House and the country those matters which have occurred to me as worthy of consideration, to meet evils which are, or ought to be, admitted by all. Such remedies as have occurred to me I have offered; but no one will be more ready to defer to the judgment of others, if the remedies which I have suggested should not be considered conducive to the public good.

THE ATTORNEY GENERAL: Sir, the subject which has been introduced to-night by my hon. and learned Friend is one of the greatest importance. The mode in which it has been brought under our notice is not the most convenient for discussion. Were it not for the somewhat singular proposals with which the speech of my hon. and learned Friend concluded, I should express my regret that during the many years he sat on the Government Benches, with the influence and reputation his name has always carried, he did not introduce them for our consideration at an earlier period. Having regard to the nature of those proposals, I cannot regret that measures of such a character were not introduced with the authority of Her Majesty's Government. I shall not endeavour to follow in detail all the arguments of my hon. and learned Friend through his long and varied speech. It was divided, as the House will recollect, into two main points—the one referring to the original jurisdiction of the Courts of Common Law; the other to the jurisdiction of the appellate courts. My hon. and learned Friend made no complaint of the original jurisdiction of the Court of Chancery, with which he and I are best acquainted; but with respect to those courts to which his experience does not extend much more largely than my own, he had several complaints to make. I shall not dwell upon this part of his case, being anxious to direct attention to those large and important proposals with which he concluded. Still, with reference to the courts of common law, I may say that my hon. and learned Friend admits that all the energies of the Judges now presiding there, are honourably and well directed to the discharge of all their duties, and that there is nothing to be hoped for in the way of an improvement of the machinery by which the business of those courts is conducted. When I say "the machinery" I speak of the intellect, the mind which is applied to the discharge of those duties, whatever other machinery there may be. My hon. and learned Friend admits there is nothing more to be hoped for in that direction. I agree with him. But he complains that there is a great waste of judicial power. Now, as far as he and I are concerned, this is not a question of knowledge; it is a question of hearsay evidence, and I venture to think that my hon. and learned Friend's evidence on the point is not more valuable than my own. For thirty years he and I have sat side by side in the Court of Chancery, and so engaged that neither of us can know from personal experience what goes on in the Courts of Common Law. Therefore, what my learned Friend and I say on the point is derived from information furnished by others. I believe that my information on the subject is derived from the highest authority, and I say that after every allowance made for possible improvement in procedure, an addition to the judicial power is necessary, and that it was right that in the Speech from the Throne the attention of Parliament should have been called

> "To the Means of Disposing, with greater Despatch and Frequency, of the increasing Business in the Superior Courts of Common Law and at the Assizes."

I repeat that I do not pretend to personal knowledge on the subject; but, speaking from the information of parties who are familiar with it, I will proceed to consider the observations of my hon. and learned Friend. He says, first, that he would make all three Courts of Common Law practically one. Now let it be granted that this might be done, though I do not admit the expediency of it; still, what great saving would there be of judicial power? There is a special jurisdiction in the Queen's Bench, a special jurisdiction in the Exchequer, and some special jurisdiction in the Common Pleas. Throw the three into one, you have still the same amount of work to do. I do not think, therefore, there is much to be accomplished by that suggestion of my hon. and learned Friend. But he says that we ought not to have three Judges sitting *in banco,* that we should have one every day in term sitting at *Nisi Prius,* and one in Chambers. My hon. and learned Friend the Member for Plymouth (Sir Robert Collier), in correction of one of those suggestions of my hon. and learned Friend, remarked that already one of the Judges sits at *Nisi Prius* every day during term. And as regards Chamber sittings, I may observe that already we practically have that course of procedure. Whenever an escape from duty in court is possible, one of the Judges does sit in Chambers in the middle of the day; and when this is not possible, Judges are to be often found discharging their official duties in Chambers to a late hour in the day. I think, therefore, that there is no ground in that direction for a saving of judicial power. Another suggestion of my hon. and learned Friend is to transfer arrears from one court to another. This might prevent arrears, and on that ground no one would object to it. But it would not prevent the necessity of additional judicial power. There were some other points in my hon. and learned Friend's speech directed to the same subject, but I failed to perceive how any of his suggestions disposed of the proposition in the Queen's Speech, that there is a necessity for strengthening the judicial powers of the Courts of Common Law. I now come to my hon. and learned Friend's argument respecting the ultimate Court of Appeal. I agree with many things he said; but I must confess that I heard with great surprise and regret that, in his opinion, it is right and proper that the main appellate jurisdiction of this country should be removed from that tribunal which has possessed it from the earliest period of our history. I will follow my hon. and learned Friend as closely as I can through the various portions of his argument. First he submits that there should be only one appeal. That I admit is an important consideration, but I do not intend to express an opinion upon it, because it is not at all material to the main question which my hon. and learned Friend has brought forward, and to which I propose to address myself. It is clear that throughout this vast Empire, and for as long a time as our judicial tribunals have existed at all, suitors have had a right of intermediate appeal. From the Courts of Chancery there have been appeals to the Lord Chancellor, and more recently to the Lords Justices, and thence to the House of Lords. From each of the Common Law Courts there have been appeals to the Exchequer Chamber, and thence to the House of Lords. In Scotland there have been appeals from the Lord Ordinary to the Court of Session, and thence to the House of Lords. In the colonies and in India there has almost always been an appeal from the court of first instance to the Supreme Court, and thence to the Privy Council. I quite agree to the proposition that, if you have an ample and exhaustive argument on the whole subject before two minds or two sets of minds, one after the other, one appeal is enough. The intellect of the appellate court is then fully informed, and a right decision is as likely to be obtained then as after a second appeal. But it constantly happens that the hearing of the first appeal is defective, that a case goes off on some point of form, that the arguments are not exhausted, and that questions of importance are not considered at all till the hearing of the first appeal. And this is not a thing to be cured by regulation. It is an infirmity of human nature and will always exist. There is therefore another side to the question, and it may well be that our old constitutional practice is right of allowing more than one appeal. I leave that question, however, without expressing any opinion upon it, and I wish it to be understood that I am throughout giving utterance simply to my individual sentiments with reference to my hon. and learned Friend's proposals, and that nothing I say is an expression of the opinion of Her Majesty's Government. The next point which was urged by my hon. and learned Friend is that there should be only one ultimate appellate court. Personally and in the abstract, I agree with him, provided it can be done. But observe the great difficulties there are in the way of producing that result with an Empire so extensive and so varied in its interests as ours. If there is to be one appellate court for the whole Empire, it must be a court to which every portion of the Empire will cheerfully submit. It may be that Hindoos and Mahomedans and Her Majesty's colonial subjects would submit to a tribunal sitting in Lincoln's Inn Fields. Possibly even Jersey and the Channel Islands would submit, and perhaps if they did not my hon. and learned Friend might think he could compel them. Still, these are difficulties in the way which are not to be disregarded. But then comes the question which some hon. Gentlemen on both sides of the House may be able to answer—What will Scotland say to the matter? Will Scotland submit to an independent tribunal sitting in Lincoln's Inn Fields to try her appeals? For my part, I believe Scotland will insist upon retaining the great benefit she has derived from an appeal to the Imperial Parliament, which is, in fact, her Parliament as much as it is that of England. Moreover, if you want only one Court of Appeal you have one already in the House of Lords, to which there can be no practical difficulty in referring every portion of our ultimate appellate jurisdiction. The argument of my hon. and learned Friend really tells against the conclusion which he endeavoured to establish. I agree with him that a mind schooled in law and accustomed to grapple with facts, will have no insuperable difficulty in dealing with the law that may be brought under its consideration from any part of our Empire. My hon. and learned Friend has spoken of the way in which Hindoo and Mahomedan law is administered by the Privy Council, and the law of Scotland by the House of Lords. These are admirable instances of the truth of his remark, and it is manifest that the benefit is reciprocal. The law of England is as much benefited by the familiarity of our supreme Judges with the law of foreign countries as the law of those countries is benefited by the law of England. The effect of that is that no narrow or prejudiced view is taken, and we find that the law of England receives light from the knowledge which is obtained by Judges hearing appeals on other systems of law than those with which they are most familiar. Then, as to what that ultimate tribunal of appeal should be, I may remind the House that in the debate of 1856, upon the Motion of Earl Granville for a Committee of Inquiry into a more effective exercise of the appellate jurisdiction of the House of Lords, the Earl of Derby used these words—

> "Of this I am quite certain, that if it was necessary to take the alternative between the maintenance of any privilege of your Lordships' House, however important, or however valuable, and, on the other hand, the better administration of justice, there is not one of your Lordships who would hesitate in regard to that alternative, and say, let justice be fairly and impartially administered, whatever privileges this House may be compelled to forego."

It was not, therefore, a new sentiment to which my hon. and learned Friend gave utterance when he said that the consideration of primary importance was the perfect administration of justice, because that principle was insisted upon over and over again on that occasion. If I fail to show that the appellate jurisdiction of the House of Lords is the system most complete and perfect for securing the administration of justice, no subordinate considerations can be taken into account. Some general observations, however, naturally occur before we come to the particular history of that jurisdiction and the particular objections that have been urged against it. In the matter of judicial tribunals should not regard be had to the usage of centuries? Were the respect, the affection, and the confidence of the people in the administration of justice by a tribunal which had existed for centuries to be disregarded? I affirm that the subjects of the Crown have perfect confidence in the administration of justice by the House of Lords, and my hon. and learned Friend will not and cannot impeach it. His own experience as well as mine, for twenty years at least, will testify that though sometimes an advocate's sympathy with his client may lead him to regret a particular decision, yet on reviewing the decisions of that long period I believe that we shall agree in the opinion that in the House of Lords we have a wise and just administration of the law, and that everything that can be expected from an appellate jurisdiction has been obtained. Then, too, regard must be had to the place which the existing tribunal holds in the Constitution of the country. That argument would be of no avail with any Members of this House—if such there be—who do not admit that it is an advantage to have a House of Lords as one of our institutions in which the people have confidence, and the dignity and importance of which it is proper to maintain. I do not to-night quarrel with their sentiments; let them be adduced at the proper time, and we will meet them. But those who believe that the House of Lords is a valuable, important, and venerated part of our Constitution must certainly give some weight to the fact that the confidence and respect which attach to its appellate jurisdiction add to the dignity and importance of that Assembly. In the debate to which I have referred, Earl Granville, adverting to the remarks which had been made by the Earl of Derby, and which I have already quoted, thus expressed himself upon that subject—

> "I go still further than the noble Lord in holding that those functions are a very important part of the functions of your Lordships, and go far to support the dignity and utility of the House, and to increase the respect in which it is held in the country."

Lord Campbell, too, said—

> "I entirely agree that it is of the greatest importance, not only to the dignity and usefulness of your Lordships' House, but to the public welfare, that the judicial jurisdiction should be retained. It has been looked upon for ages with veneration, and no supreme court of appeal can now be constructed which would be a substitute for this House."

These were the opinions of noble Lords in that House. Then, Sir, what are the feelings of each part of the Empire? I will not appeal to the colonies or the smaller dependencies of Great Britain. If you are to have an appellate tribunal such as the hon. and learned Gentleman recommends, are you to deprive Scotland of its privilege of appeal to the House of Lords? The opinion not only of every lawyer but of every Scotch gentleman capable of expressing an opinion would be against such a proposal. Having had some experience in arguing cases from Scotland, I will say that, whether you take the opinion of suitors or of the profession, you will find them agreeing that Scotland has derived the greatest benefit from the appellate jurisdiction of the House of Lords. Only this week the hon. and learned Gentleman who filled the office of Lord Advocate in the late Government (Mr. Moncreiff), in addressing the Lord Justice General of Scotland on his retirement from the Bench, said, "We are conscious of the many benefits which Scotland has obtained from the appellate jurisdiction." That is the universal sentiment of Scotland. Are you then to divide the appellate jurisdiction, and make it into two jurisdictions? That is not desirable as admitted by my hon. and learned Friend, and I am sure that the people of Scotland would not be satisfied with the shifting of the jurisdiction which he proposes. If you are then to reduce the appellate jurisdiction to one tribunal, the House of Lords is the place in which it is to be exercised. If you divide it into two, the House of Lords must retain its ancient jurisdiction. The judicial and appellate functions of the House of Lords are of great antiquity. They add to the dignity of that ancient and distinguished Assembly, and you cannot withdraw them without removing a stone from the edifice which would not be unimportant. But what I rely upon mainly is this, that the House of Lords is the tribunal the best calculated to administer justice in every portion of this great and varied Empire. No existing tribunal possesses the same elements, nor will you find them in any tribunal which you may create as the appellate jurisdiction for the whole Empire. What are the objections the hon. and learned Gentleman urges? The small number of Judges, the occasional sittings, and the uncertain attendance. Let me ask, what is the most suitable number of Judges? If you get a tribunal of three Judges of the highest qualification you have enough. During the last twenty years the great majority of judgments in the House of Lords have been those of three of their Lordships. Out of 400 appeals a small number have been decided by two Lords and not one-sixth of the number have been decided by one only. That, at all events, is not an objection of so vital a nature as to induce you to remove the appellate jurisdiction from the House of Lords. Then as to occasional sittings, is there any difficulty in applying a remedy? I say there is no difficulty. With the aid of this House there would be no difficulty in passing a Bill through Parliament enabling a Judicial Committee of the House of Lords to sit for every practical purpose during the vacation. The hon. and learned Gentleman says it is a mere sham to call the sitting of noble and learned Lords as Judges a sitting of the House of Lords. But his argument equally goes to the functions exercised by the Sovereign. Her Majesty in Council hears appeals from India and the colonies, and refers them to a Judicial Committee. Is that tribunal to be dispensed with because the Queen does not herself determine the question? The fact that a large tribunal have always had an appellate jurisdiction, and that a portion of that body only are exercising it, forms no reason whatever for removing that jurisdiction, on the ground that they are delegating it to a portion of their number. How do men gain access to, and become members of, the appellate tribunal of the House of Lords? If my hon. and learned Friend took his seat there it would be because he is known to be a fit and proper person to sit in that House. He admits that those who sit upon this tribunal are competent to the task. I say that the interests of the law and of the public at large, that equity, that common law, that Scotland, England, and the colonies, alike receive benefit, not only from the existence of this tribunal for the ultimate decision of great questions, but also from the mode in which the tribunal is from time to time renewed or strengthened. I say we ought to be proud of the Constitution which leads to the elevation of men who have distinguished themselves in their profession. The road to this dignity is open and is known to the public. It is the road of honour, wisdom, and learning, and the people of this country, who know the path which leads to this high eminence, place confidence in that tribunal. I say it is no sham, and it would be as true and as just to call the decision of the Privy Council a sham because it is given in the name of the Queen. But then the hon. and learned Gentleman says there were sometimes only two Judges, and their sittings were only occasional. I deeply regret that my hon. and learned Friend did not call attention to these subjects when he was in office, because, with the power and influence he then possessed, any proposal coming from him would have been carefully considered by Parliament, and within reasonable limits might have been carried. At the same time, I do not believe that any such measure as my hon. and learned Friend now indicates would have been carried, and I doubt very much whether he would have proposed it under the responsibility of office. If he entertained these strong views, why did he not bring in a Bill when Attorney General and endeavour to carry it? My deliberate opinion is that maintaining the appellate jurisdiction of the House of Lords is the best way of administering the appellate jurisdiction of the country. The jurisdiction is as free from objection as is any legal jurisdiction in the country, and its defects, such as they are, admit of easy redress. Various remedies have been attempted. In 1834 Lord Brougham, then Lord Chancellor, brought in a Bill to refer appeals to a Judicial Committee to be appointed by the Lords, upon whose Report the Lords were to determine. That plan seemed to be in the mind of my hon. and learned Friend, though it has not received much favour till to-night. In 1841 Lord St. Leonards, then a Member of the House of Commons, introduced Resolutions, and a Bill in which he proposed the nomination of two Lords' assistants. In 1842, a Bill was brought in by Lord Campbell having for its object to establish one court of appellate jurisdiction, and to constitute the House of Lords the sole court of ultimate appeal for the Empire. In 1856 a Bill passed through the House of Lords and was brought down here, having its origin in the Report of a Committee appointed on the Motion of the Earl of Derby, and its object was to make better provision for the appellate jurisdiction of that House. That Bill was, in substance, to appoint two Deputy Speakers with salaries to assist in the judicial business of the Upper House, and provided that if the Crown should create any Lord Chancellor or Deputy Speaker a Peer for life, such life Peer should be entitled to sit and vote in the House of Lords, subject to certain provisions for limiting the number of such life Peers entitled to sit and vote. [2 *Macqueen's House of Lords Reports*, p. 675.] This would be a method, and, I think, a good method, of surmounting the occasional—and, in my experience, only very occasional — inconvenience arising from too limited a number of Judges. It is admitted that the jurisdiction of the Upper House has been well and wisely exercised, and it is evident that the inconvenience that sometimes arises from the difficulty of finding a sufficient number of Judges might be remedied. I am of opinion that much of the difficulty, in cases of this kind, arises from the perhaps wise parsimony of this House in sanctioning expenditure for judicial purposes. I say "wise," because it is wise of this House always to look cautiously to the way in which public money is expended; but economy may be carried too far. At present you actually trust, as my hon. and learned Friend has pointed out, for the discharge of all the appellate business of the country to the sense of honour of Judges who, having by their former services entitled themselves to their retiring pensions, think it their duty, without salary or remuneration of any kind, to undertake those new and onerous labours. Look at the instance of the noble Lord who has rendered such eminent service to the country, Lord Kingsdown, who never held any judicial appointment, and never consequently had any retiring pension, yet who for years discharged duties of the highest kind, and added, not only to the lustre of the Bench, but, by his decisions, contributed to place upon a firm basis principles which before had been unsettled, and, at the same time, facilitated the administration of the law. Such labours were due entirely to his sense of honour and of the public duty incident to his high position as a Member of the House possessing the appellate jurisdictions, and examples equally honourable have occurred before now in our legal history. But is it wise for the country to trust to services of this character being often at its disposal? I have detailed to the House plans which at various times have been suggested for modifying the appellate judicial tribunal. At present, I do not think there is any necessity for adopting any of these plans. But if reform be needed, and the money forthcoming, all that is required might be accomplished by the appointment of Lords' assistants or Law Lords with life Peerages, as proposed in the Bill carried through the Lords in 1856. We have, however, now an ample staff for the business to be transacted. Three Judges attend constantly, without taking into account the addition of the noble Lord from Scotland who is about to enter the House. That the efficiency of the tribunal should be maintained to the fullest extent I am clear. A tribunal which has to comprehend, to weigh, and to apply finally the principles of law in force in almost every part of the Empire, and which discharges those functions ably, impartially, and to the satisfaction of the country, is a tribunal which I am sure this House will never think of weakening or destroying. It might be desirable that the whole appellate jurisdiction should be administered by one court, which should have the ultimate decision in all causes, whether Hindoo or Mahomedan, whether from our colonies or dependencies, or from England, Ireland, or Scotland; but no sufficient ground has been shown for removing the jurisdiction from the House of Lords.

With reference to the Privy Council I have nothing to say but this, that it is a tribunal which has discharged its duties admirably. Into the small matters which my learned Friend has discussed as to the judgments of the court being pronounced by one for all or by all of its members, I will not travel; they are points which are not properly subjects for legislation, but which every court must determine for itself. But I think that it would be impossible to constitute the Judicial Committee of the Privy Council the sole tribunal of appeal. Neither do I think it would be satisfactory to have one tribunal sitting at Lincoln's Inn Fields to decide all the vast and varied issues growing out of the business of the nation. For these reasons I submit that if legislation on the subject be sanctioned, it must be such as shall retain the jurisdiction of the House of Lords, which has existed so long and so beneficially in this country.

SIR ROBERT COLLIER said, that he had no intention of following the Attorney General and the Member for Richmond in their controversy on the subject of the appellate jurisdiction. As far as abstract principle was concerned he thought that there should be one court of appellate jurisdiction; but it would be admitted that to adapt that principle to our existing institutions must be a work of difficulty and of time. Without entering into this question, he desired to draw the attention of the House to a point of more pressing importance — namely, the present dead-lock in the Common Law Courts. At Middlesex the remanets in the Queen's Bench numbered 141, in the Common Pleas seventy-nine, and in the Exchequer twenty, making a total of 240. Adding to these the remanets in London, the total number was brought up to 479, or close on 500 remanets. At present it might be observed that the Court of Exchequer was not so fully occupied as the other tribunals. But the very admirable manner in which the present Lord Chief Baron discharged the duties of his office was such that business had already returned to the Court of Exchequer, and there was every reason to suppose that before long it would be as much occupied as any of the other courts in Westminster Hall. Among the evils resulting from the pressure of business in the courts, as represented by these 500 remanets, were these. Actions just and capable of being maintained were not brought; others were settled disadvantageously or referred to arbitration at double or treble the expense; and defendants were encouraged to defend actions unjustly for the sake of wearying the plaintiffs out, and so obtaining the advantages to be looked for from delay. These various evils taken together represented an amount of actual money loss greater than the salary of many Judges. But there were not only remanets at *Nisi Prius*, there were arrears on the new trial paper, and on the special paper. On circuit there were also remanets, or else, without any fault of Judge or counsel, when there was a long cause list and no time to try it, causes were crushed and ground to powder in a way that was highly unsatisfactory to suitors. On many of the circuits Judges were obliged to avail themselves for days together of the assistance of Queen's Counsel in trying the criminal cases. This state of things entirely bore out the contention of the Attorney General, from which he did not understand his hon. and learned Friend to dissent, that it would be absolutely necessary to take into consideration the passage of the Queen's Speech upon this subject. His own opinion was, and had been for many years, that a public necessity existed for adding to the judicial strength of the Common Law Courts. The number of Judges had been substantially the same since the Revolution. In 1831 the number, it was true, had been increased from twelve to fifteen; but the abolition of the Welsh judicature took place at the same time, so that there had been a corresponding increase in the duties. A statement in his possession from a learned Judge showed that from 1831 to the present moment the duties of the Common Law Judges had at least doubled. This had been due, in the first place, to the increase in the wealth, population, and commerce of the country; but next, to the great improvements which had taken place in the law itself. Cases, instead of being got rid of by technical objections, were now for the most part tried out upon their merits, which course, while it was much more advantageous and satisfactory, naturally consumed a great deal more time. Again, the examination of the parties, who were generally the largest witnesses, inasmuch as they knew most about the subject, had greatly added to the length of trials. Again, the Chamber business of the Judges had very much increased, owing to the Common Law Procedure Acts; and he was informed by a learned Judge that for one hour that used to be spent in Chambers there were now at least four. Moreover, additional circuit towns had been established, and the Judges now went to Liverpool, Manchester, and Leeds, and they were to go to Birmingham. All this had taken place since 1831. Winter circuits had also been established, and it was most desirable, nay, necessary, that they should be extended for the trial of civil as well as criminal cases. The universal feeling of the profession was that another circuit should be formed. But that was utterly impossible with the present judicial staff. Arrangements might, no doubt, be made for saving the time of the Judges to some extent. The business of the three courts might be equalized, and by abolishing the peculiar jurisdiction of each the business might be transferred from one court to the others; but that would only equalize the burden — it would not diminish it as a whole. He also agreed that four Judges need not sit at one time *in banco*, but four Judges scarcely ever did so. There were generally only three, so that no great saving could be effected in this way. His hon. and learned Friend suggested that the Chamber business might be transferred to the Masters; and, perhaps, a portion of it might, but not much, because the decisions of the Masters could not carry with them the authority of those of the Judges, and would probably give rise to many more appeals. Possibly some further business might be thrown on the County Courts, but it was not desirable much to extend the jurisdiction of those tribunals, for if they became courts for the trial of heavy cases their utility would in a great measure cease, and it would, perhaps, become requisite to have other small debts courts, thus leading to greater confusion. Again, the number of frivolous actions might possibly be somewhat reduced by depriving plaintiffs of costs in certain cases. Still, enough would remain to make it absolutely necessary that the present judicial strength should be increased. He did not think that the addition of one Judge to the Admiralty Court would suffice, and in his opinion none of the suggestions made would obviate the necessity of considering the important recommendation contained in Her Majesty's Speech.

MR. SANDFORD said, the Attorney General had not answered the case made by the hon. and learned Member for Richmond (Sir Roundell Palmer), because he had contended that the appellate jurisdiction ought to reside in the House of Lords, but had not attempted to show that the appellate jurisdiction of that House, as at present constituted, was the best tribunal that could be constituted. That hon. and learned Gentleman had taken rather a rosy view of the present state of that tribunal. Indeed, Attorney Generals *in esse* were apt to entertain optimist views on matters of that kind. If the hon. and learned Gentleman thought the House of Lords the best tribunal that could be constituted, all he could say was that that was not in accordance with the opinion of the House of Lords themselves. For what had they determined? Their own Committee had reported that three Law Lords should always sit as an appellate court. But all knew that three Law Lords would not do that, and that appeals would virtually be decided by Lord Chelmsford and the Scotch Judge who had just been made a Peer. He asked, then, was it right that these two learned Lords should review and reverse—for that was what it came to—the decision of Lord Justice Cairns and the other Lords Justice, or the decision of the Exchequer Chamber? Such an appellate jurisdiction as that could not possibly give satisfaction to the country. As the House of Lords was at present constituted, they did not get the best Judges nor enough of them. If they were about to create a law Peer, they did not ask whether he was the best man they could find; but their first question was, "Is he married?" their next question was, "Is he likely to be married?" and, perhaps, their third question was, if so, is his wife likely to be a fruitful mother of children?" Under these circumstances, he maintained that such an appellate jurisdiction was not one that could be perfectly satisfactory to the country. The Lords' Committee had proposed that two Deputy Speakers should be appointed and made life Peers, as it had been said that barristers did not earn fortunes large enough to render them eligible to be hereditary Peers. The evidence given by the lawyers before the Committee went in favour of life Peerages up to the number of four being created. That was utterly rejected by that House, not because life Peers ought not to be created, but—certainly as far as his own vote went—on the ground that as the measure then stood it would not secure the best men. £5,000 a year each for the Deputy Speakers were not such terms as would give them two of the best lawyers. The most satisfactory arrangement would perhaps be that the House of Lords should part with its appellate jurisdiction, but it was open to this objection, that the Peers' Report showed them to be unwilling to do so. Some persons thought that jurisdiction should be transferred to the Privy Council; but there were some constitutional objections to that. A Privy Councillor was only a servant of the Queen as long as it was Her will and pleasure that he should be so. It had also been proposed that all the chiefs of the superior courts should be made life Peers. But the gentlemen of the legal profession saw one great objection to that, because the chiefs of the Common Law Courts had not the time for such duties, and were wanted elsewhere. Moreover, from the manner in which legal patronage was bestowed, those chiefs were by no means always our best lawyers. They were probably appointed for their Parliamentary services, and they had generally entered that House because they were successful advocates. If the Peers were really unwilling to part with their appellate jurisdiction, it seemed to him that it would be necessary to consider the very broad question of life Peerages, and whether they ought not to be conferred on the best lawyers they could find, whether distinguished as advocates or not. He hoped that that suggestion would receive the serious attention of the Government.

Sir GEORGE BOWYER said, he did not agree either with the present Attorney General in believing that our appellate jurisdiction was in a perfect state, or with the late Attorney General in the opinion that that appellate jurisdiction ought to be removed from the House of Lords. If we were starting afresh no doubt it would be well to establish some court akin in its nature to that of the Court of Cassation, and entirely separated from all political influence. But, under our Constitutional Government, our courts were in reality the *débris* of the ancient *Curia Regis,* and the largest fragment of that *débris* was the House of Lords. To destroy that, or to weaken its authority, would be to derange the balance of power, which was so advantageous in the Constitution of this country. It would not only be a violation of English history and a dangerous innovation, but it was not at all necessary to our obtaining a good Court of Appeal. It was evident that the Judges of the land formerly shared in the judicial powers of the House of Lords, which in the ancient records was said to consist of *les grands et sages du royaume.* The former term included the Barons of the realm, and the latter the Prelates and the Judges. There were two ways of remedying the present state of things—one which he thought a very good one—was that all the Judges, both Common Law and Equity Judges, should also be Members of the House of Lords for judicial business, and on all judicial business should vote with the Peers, as they did formerly; and the other was to devise some mode by which the judicial strength of the House should be increased without its being encumbered by too great a number of Law Lords. There was little difficulty attending the solution of that problem, for it could be done by granting the Crown power to make the holders of certain high judicial offices, such as Judges, life Peers. This could be done without an unlimited power of creating life Peers being granted, which he had on a previous occasion opposed; for if such unlimited power were granted, the authority of the House of Lords would be gone, and a Minister would be able, by the creation of life Peers, to overbear all opposition in the Assembly by swamping it for the purpose of carrying a particular measure. He did not believe that the Judges sitting in the House of Lords were sufficient to constitute a Court of Appeal. There would be no objection to appointing Judges life Peers; and he thought that if the House were strengthened in either of the ways he had pointed out, it would have greater weight with the country than any court constituted upon *à priori* principles. It was contrary to common sense that the decision of ten Judges in the Exchequer Chamber should be reversed by three Judges in the House of Lords. The staff of the House of Lords must be increased. With respect to the Courts of Equity, the Lord Chancellor was the chief Judge of the Courts of Equity. It often happened that he had to sit in the House of Lords on appeals from himself, and, with the assistance of a Common Law Judge, who never held a brief in a Court of Equity, affirm his own decisions. This showed that the appellate jurisdiction was in an unsatisfactory state. He thought that either of the expedients which he had pointed out would enable the House of Lords to cope with all the difficulties which existed, and render it a satisfactory Court of Appeal. He agreed with the late Solicitor General (Sir Robert Collier) that the administration of justice at the assizes and at the sittings in London was unsatisfactory. The assizes were arranged on a very antiquated model. At the assizes, the cases frequently were hurried over, or referred to junior barristers, instead of being decided by the Judge. The time was approaching when there must be a thorough re-casting of the whole of our judicial system. With respect to the County Courts, they were unable to cope with the business heaped upon them. A County Court Judge did not possess the dignity and position which a Judge ought to hold. The country ought to be mapped out into judicial districts, and a court ought to be appointed in each capable of discharging all the duties of a court in the first instance. The Judges of that court ought to go circuits in their own district, and be fully responsible for the administration of justice, and from the decision of these provincial courts an appeal might be given to a separate court in the capital. That was a system which existed in every civilized country, and which had been found to work well. So far as the appellate jurisdiction went Parliament had the remedy in its own hands; but he hoped they would never destroy the time-honoured jurisdiction of the House of Lords, which was necessary for the maintenance of the mixed constitution of the country.

MR. JAMES said, he entirely agreed with what had fallen from his hon. and learned Friend the Member for Richmond, that there ought to be only one court of appeal. He could not conceive a worse tribunal than the Court of Exchequer Chamber, for the calls upon the Judges who composed it were so numerous that it was impossible for them to discharge the duties imposed upon them as a court of appeal. He wished to call the attention of the House to the necessity of doing something to correct the defects which existed in the tribunals of the law, not only in Westminster but throughout the whole country. The present judicial system was universally admitted to be bad, and the first thing to be done was the consolidation of the Courts of Queen's Bench, Exchequer and Common Pleas. A great deal of mischief resulted from the independent jurisdiction of these several courts. He would take the Court of Queen's Bench as an illustration of the evils which existed in the other courts. In theory these courts consisted of five Judges each, and it was supposed that four of them were sitting continuously *in banco*. In the Court of Queen's Bench two days in the week were set apart for new trials and motions—two for the special paper and two for the Crown paper. Now, how did the matter stand in point of fact? One of the Judges had to hear cases at *Nisi Prius*, and four were left to sit *in banco;* but it not unfrequently happened that one of them was engaged in trying cases at the Central Criminal Court, leaving only three for the general business. One of them had to leave the Court at one or two o'clock to go to Chambers, sometimes rising in the midst of an argument. His time was thus entirely wasted, and he might as well be away from the court altogether. The same thing occurred with regard to the other courts, so that three of the Judges interrupted the business of the courts in order to go to Chambers. It would be much better to have one Judge continually at Chambers. He suggested to the Government the propriety of consolidating the three courts into one. But he would go further. The consolidation of the Court of Admiralty and the Court of Probate and Divorce was contemplated. If these courts were to be consolidated he did not see why the whole of the courts should not be consolidated. If that were done there would be no necessity for additional Judges in the Common Law Courts at Westminster, and the whole business of the country might be very well discharged without any increase in the number of Judges. He was quite satisfied that there ought to be an independent court of appeal, though that might involve some increased cost. He would suggest also that there should be an alteration made in the legal year; the present system of regulating terms was totally inadequate to the purposes of the present day. He would suggest the division of the legal year into six pretty equal parts, and then these might be divided in proper proportion between the metropolis and the country at large. The business of the provinces was largely increasing. Leeds already had assizes, and Birmingham would probably insist on them. At present the Judges were required to go down to every county in England, and it seemed to be an idle thing to require the Judges and sheriffs to go to a place to hold an assize where there was not a single cause to be tried, and perhaps not more than one or two prisoners. There ought to be central districts to which parties might be brought without requiring the Judges to go to every particular place as they did now.

The SOLICITOR GENERAL: Sir, I thank the hon. and learned Member for Richmond (Sir Roundell Palmer) for bringing this subject before the House this evening. The part of his speech to which I paid most attention was not that in which he showed that the judicial system of the Courts of Common Law had broken down, but that in which he pointed out the remedies for the evils of which he complained. It would appear from the hon. and learned Member's remarks that the panacea for the numerous defects of the Courts of Common Law is to alter the present system so as to divide the cases more equally between the different courts. The hon. and learned Member alluded to the arrears of business in the courts, and I listened in the expectation of hearing him state which of the courts was so devoid of business that it had been compelled to rise before the time allotted for the trial of its causes had expired. But, although it is true that there are large arrears in the Courts of Queen's Bench and Common Pleas only, still we find that the Court of Exchequer sat out the fourteen days allotted for its sittings at Westminster, and is likely to sit out the time allotted for the trial of its causes at Guildhall. It has been well and truly said that the Court of Exchequer will now regain its fair share of business, and it is evident that that court is not in the position in which, according to the hon. and learned Member, some of the Chancery Courts are—namely, sometimes starving, for want of work, and at other times overburdened with business. I fully admit that the state of things in the Common Law Courts is such that we cannot hope to cope with it without an increase in the judicial power. We cannot attempt to satisfy the demand which is now being so generally made for additional assizes without we have a larger judicial staff. I do not think it probable that the suggestion of the hon. Baronet the Member for Dundalk (Sir George Bowyer) to abolish the assizes altogether will be carried into effect. We may take it for granted that for our time, at all events, assizes will be held throughout the country, and that the number of assizes will be increased instead of diminished, and therefore Judges must be found to hold them. I am told by the hon. and learned Member for Richmond that, in order to utilize the judicial power we now possess, three Judges instead of four could sit to hear Common Law cases. All I can say in reply to that suggestion is that the 1 *Will.* IV., appointing the fourth Judge, was passed on the express ground that three Judges were not sufficient to form an efficient court for the decision of Common Law cases. Notwithstanding the provisions of that Act, it is rare that more than three Judges can sit together in the Common Law Courts on account of the press of business. Even if some of the defects of the courts could be remedied by a re-distribution of the business so as to render it more equally divided between the courts, the difficulty would still remain of having to provide Judges for the additional assizes which are so generally called for throughout the country. The hon. and learned Member for Manchester (Mr. James) suggested the propriety of establishing throughout the country certain district courts, resembling the Central Criminal Court of London. The supposition of the hon. and learned Member was that the work of the learned Judges on assizes would be much lessened by the establishment of such courts. I may, however, remind the House that it is the almost universal practice, in order to diminish the assize business, to hold courts of quarter sessions in boroughs and counties for the trial of prisoners charged with a certain class of offences. If greater judicial power is required at the assizes, and additional Judges are not to be appointed, I think the practice that at present prevails of appointing Queen's Counsel to act as assistant Judges is far preferable to the proposition of the hon. and learned Member. The cases that come before the court presided over by the right hon. and learned Member the Recorder of London (Mr. Russell Gurney), and by the hon. and learned Member the Common Serjeant (Mr. T. Chambers), are not such as come before the courts of quarter sessions, and I do not think that the plan suggested by the hon. and learned Member would in any way relieve the Judges from the duties which are now imposed upon them. It is impossible to help feeling that, with the peremptory demand for more frequent assizes and circuits, the legal business of London and of the country cannot be carried on without the creation of additional Judges. I must say one word regarding an institution which the hon. and learned Member for Richmond looks at in a different light from what I do—I mean the Court of Exchequer Chamber. It is very easy for the hon. and learned Member to say that, in a few isolated cases, this court has broken down. But when he says that this intermediate court of appeal is useless and worse than useless, and that the wit of man never devised a more ingenious system for rendering the law uncertain, I can only say that I do not agree with him. When the hon. and learned Member was pointing out certain defects in this court, did he remember in how many cases decisions in this court are practically final? I will venture to say that in numbers of instances the parties are satisfied with the decision of this court, and so are saved the trouble and expense of appealing to the House of Lords. The Court of Exchequer Chamber, in my opinion, when properly constituted, and when having a sufficient number of Judges, will be a peculiarly good intermediate court of appeal. So far as my experience goes, which is not so great as that of my hon. and learned Friends the Attorney General and the late Attorney General, I cannot help thinking that the court of ultimate appeal is as satisfactory a court as exists. When my hon. and learned Friend says it is small, I agree with him; but I thought I heard him say that he thought the judicial constitution of the Court of Appeal in Chancery, consisting of two Judges, was satisfactory; and, as far as the Courts of Common Law are concerned, that if three sat instead of four, that would be a sufficient staff. Then I do not see why three should not be sufficient for a Court of Appeal. In a large majority of instances three men of great learning and eminence and of large experience sit in the House of Lords deciding causes. Again, I differ from my hon. and learned Friend in this, that the Court of Appeal of the House of Lords, as now constituted, is weakened or less worthy of credit because they can, by their own summons to the House of Lords, ask the whole body of Judges to sit there as assessors. I was surprised to hear him say that, because, although it may be true that a large number of those Judges who came there as assessors in certain cases may have had to consider the case on which they sat in the House of Lords before, I do not think he will say that they are so bigoted to the judgments they before announced that if, on a re-hearing of the case, they find weighty reasons to show their opinion was wrong they will not give full effect to the argument and alter that opinion. But of this I am quite certain, that there are no judgments to be found in the books so valuable as those which have been pronounced in the House of Lords after consultation with the Judges, on whose opinion, after mature deliberation, the Law Lords are entitled to act as they think proper. I will not further trespass on the attention of the House upon this question; but, though I am quite conscious that many evils are found in our present system, I cannot help wishing that my hon. and learned Friend had not only given us a more mature plan for the remedy of those evils which he states exist, but also pointed out with more clearness that the remedies he has shadowed out to-night would really meet the evils which he supposes to exist.

REDUCTION OF THE QUALIFICATION FOR THE ELECTIVE FRANCHISE.

QUESTION.

MR. DARBY GRIFFITH rose to ask the Chancellor of the Exchequer, Whether the Government mean to invite the House to come to a conclusion in favour of the reduction of the qualification for the Elective Franchise, without at the same time affording a clear indication of what that reduction is intended to be? He had no wish to throw any impediment in the way of the Government; but, understanding that Parliamentary Reform was not to be considered a party question, upon which the fate of the Ministry depended, they could now consider the question purely on its merits. The time had come when Parliamentary Reform should be treated as a broad and philosophical question, above the narrow purposes of party. They had authority for that view from the course taken by the Opposition, who, when in power in 1860, would not stake the existence of their Administration on the success of their Reform measure. The question of Reform, of course, depended upon details; much depending upon the extent to which the franchise should be extended. The Resolution referring to the proposed extension of the franchise in such a form as not to give a preponderating power to any particular class, had his entire adhesion. They might so reduce the franchise as to—

MR. SPEAKER here interrupted the hon. Gentleman, reminding him that, although he was in order in asking a Question as to the form of proceeding, he was not in order in entering on the question of Reform, or the particular Resolutions which stood for discussion on Monday next.

Mr. DARBY GRIFFITH resumed. The Resolutions appeared to him to be open to very much the same objections which were levelled against the proceedings of the late Administration last year. They were told then that they were asked to make a leap in the dark, which he thought was just the case with these Resolutions. They were told then the Government should treat the House with perfect frankness, and it struck him that the Resolutions were open to the same form of criticism. They were told then that Resolutions might involve a precipitate decision of the House, as they had no second and third readings in which the House could retrace its steps if in error, and that was the same with regard to these Resolutions. [*Cries of* "Question!"]

Mr. SPEAKER again interfered, recommending the hon. Gentleman to proceed to the Question of which he had given notice.

Mr. DARBY GRIFFITH said, he would not occupy the House further, but at once put the Question which stood in his name.

The CHANCELLOR of the EXCHEQUER: It is not more than ten days since I came down to the House to suggest that on this subject it was, in the opinion of the Government, expedient that we should proceed by way of Resolution; and when I made that proposition I was very doubtful whether the House would accept it. Formally, it is not even now accepted, although, I believe, I may infer from the declarations which have been made that the House will not refuse the Government that form of procedure. Sir, I will not refer to the nature of the Resolutions that I have put on the table, although my hon. Friend referred to them so amply. I will merely say that the object of those Resolutions was to express certain principles on which the Government wished to proceed, and that we laid them on the table in order that hon. Gentlemen might have the opportunity of considering those principles, and applying them in the manner which they might think most expedient; and in that process they often arrive at this salutary result, that many applications of those principles in detail which at first blush they thought unanswerable and expedient, upon reflection they find to be impracticable and even absurd. When they arrive at that conclusion, after a certain time for consideration has elapsed, they may come then to the interpretation which the Government put upon the Resolutions, and with a disposition more calculated to give an impartial consideration to the propositions of the Government. Sir, I do not think that the time the Government have proposed for the consideration of the Resolutions was extreme, and I do not think the House will think it unreasonable. In two or three days the House will be asked to form itself in Committee to take the Resolutions into consideration; and, of course, it will be my duty, in accordance with the custom of Parliament, before I ask the opinion of the House upon them, to show the manner in which, in their opinion, the Government think those principles should be applied. That, I think, is the Parliamentary and proper system. In the course of the last ten days a great many Questions have been asked of me by Members of this House. I have taken note of those questions, and at the right time, and in due season, those questions will be answered. I have also taken note of the Question of my hon. Friend, and that also will receive an answer.

APPROACHES TO THE HOUSES OF PARLIAMENT.—OBSERVATIONS.

Mr. DAVENPORT BROMLEY rose to call the attention of the First Commissioner of Public Works to the condition of the streets in the vicinity of Palace Yard. The state of affairs outside Palace Yard was not quite so satisfactory as it might be. He should be inclined, if he were not in that House, to call it—and if he were outside that House he would call it—if not atrocious, at all events disgraceful, and ludicrously inconvenient. He wished, therefore, to call the attention of the noble Lord to Sessional Order No. 8, issued on the 10th February last, to the effect that the Commissioners of Metropolitan Police should take care that the passages and thoroughfares leading to the Houses of Parliament were kept free and open, so as that no obstruction should be offered to Members going to and from the House. Let them imagine what would be the position of some Gentleman who had asked some distinguished foreigner to come down and see that House. Possibly that distinguished foreigner might wish to see the interior of the House and the working of that administrative assembly, which the Chancellor of the Exchequer told them would bear comparison with any assembly in the world, whilst the gentlemen of the Reform League told them it was an assembly of bad characters, and filled with men who had humpbacks, and one eye only each. The distinguished foreigner might get with facility as far on his journey as Trafalgar Square, when his nerves would derive their first shock from a sight of the national cruet-stand—he might recover a little afterwards at the sight of Landseer's lions, which he might wish, however, had somewhat larger pedestals. He would then get a distinct glimpse of the towers of the Houses of Parliament, and would, of course, expect something grand, but when he came to the final crossing, unless a man of strong nerve, he would probably wish himself at home again. The guardian policeman, however, extending to him the last privilege remaining to a Member of this House, assists him over, like an Israelite crossing the Red Sea, with a wall of arrested traffic on the right hand and on the left. He would then see a state of things not to be surpassed by any gold diggings or oil city in the world. He would see a huge hole which had lately been filled up. It had been filled up suddenly like the hole in the Roman Forum. Perhaps Her Majesty's Ministers had induced some heroic and patriotic Member to jump in and settle the Reform question. Beyond this, the distinguished foreigner would see a low hoarding, on which was stuck a placard, intimating that the whole territory belonged to the Metropolitan District Railway Company, a steam-engine, which puffed perpetually into the faces of bystanders, and, a little further on, he would meet with that mysterious and solemn interrogatory — that awful question to which no one in this House or out of it was ever able to furnish a reply—"Who's Griffiths?" A friend of his (Mr. Bromley's), who fortunately was a good horseman, was passing by on horseback, when a blast from the steam-engine caused his horse to swerve so much as completely to destroy the equanimity of one cab and cause it to cannon against another, thus creating a great disturbance and interruption of traffic. That gentleman, who was much attached to all the venerable institutions of the country, exclaimed, almost with tears in his eyes, and his voice quivering with emotion, "Only conceive, if I had been a Bishop." Carrying one's eyes further back, there was observable—he did not know what. People said it was to be a fountain, or some other sort of pump; and Canning's statue stood there, turning up its nose at all the disagreeable sights and smells. With regard to the railway that was being excavated in the immediate vicinity of the House, he regretted that the Bill for that line had been passed. He believed it would shake the foundations of Westminster Abbey—and that Westminster Hospital, within a few yards of which it passed, would be rendered untenable, as far as the comfort of the patients was concerned, when the railway was in operation. It had left neither the dead nor the living at rest, for he was told that the bones of our ancestors had been removed, from the burial ground near the Abbey, to Woking Cemetery. He wondered it had not struck the directors that Westminster Hall would make a good terminus or refreshment-room. In fact, whenever he heard of metropolitan improvements, he shuddered, and he might say that he entertained the greatest dread of that inscrutable body—the Board of Works. He was told that the railway was waiting for the Thames Embankment, and the Thames Embankment was waiting for the railway; and so between them they came to a dead-lock. The Thames Embankment was doing nothing, had done nothing, and intended to do nothing, and the authors of a report recently issued congratulated themselves on their having done nothing. He looked over the bridge the other day, and saw eight men and a boy at work. It was difficult, in these cases, to pitch upon the right man to blame; but, generally speaking, the works in connection with that House and the neighbourhood had been carried on, according to the national practice, in the most dilatory manner. That House had been very nearly as long in building as the Temple of Jerusalem—and his belief was that it never would be completed. In conclusion, he begged to call the attention of the First Commissioner of Public Works to the notice he had put upon the paper.

PARIS EXHIBITION ESTIMATE.

QUESTION.

MR. OSBORNE rose to ask the Secretary to the Treasury for a further explanation of the sums required for particular items in the approaching Paris Exhibition. He said the hour was late, and the House exhausted, and Members might take his word that, not being a lawyer, he would not occupy two hours in saying what could be said in a few minutes. If any excuse were wanted for bringing the matter forward, it was to be found in the language of the right hon. Gentleman the Secretary to the Treasury the other night, who said that when this Vote was first brought before him, his feelings were first those of surprise, then of indignation, and lastly of resignation. When the Secretary to the Treasury, a man who was known to be not generally moved by the common emotions of the human heart, spoke officially in that way, the subject must indeed be one demanding the grave consideration of the House. The question before them was, in reality, nothing more nor less than this—whether the House was to have any voice or control over the public expenditure. This was a subject on which he had heard Chancellors of the Exchequer lecture in former years. He had heard them complain that the House was neglectful of the public interests. Although there were a few Members who said that this matter must be passed *sub silentio*, because it concerned a foreign Government, he believed there was enough public spirit left in the House, even at so late an hour, to endeavour to exercise some control over the public expenditure. What was the history of this Vote of £116,000? It was a curious fact that no detailed Estimate for this sum had ever been laid before the House. The history began with the constitution of the Royal Commission on May 2, 1865; and the Commission directed that the Estimates were to be laid before the House, and were to be managed through the Department of Science and Art. The Estimates never had been laid before the House. The Commission was constituted originally of eighty-four Members, including twenty Peers and twenty Members of that House, and eighteen gentlemen were afterwards added, which made a total of 102. It was said that the Commission was not composed of men of business, but many men of business were on it. Members of that House and of the other House were on the Commission, and they might be said to be in most senses innocent of science and incapable of art. This Commission was, in fact, a mere ornamental Commission. The hon. Member for Stoke-upon-Trent was a member of it, and he had already told them what its duties were. The Commission met once in about two months, some thirty gentlemen sat round a table, and they discussed nothing, but some unseen hand prepared resolutions, and, he believed, it was that of their trusted and well-beloved Henry Cole. The Commissioners discussed nothing, but it passed whatever was laid before it. What was every man's business, was no man's responsibility, and to that minute they did not know on whom responsibility rested or by whose direction the money had been spent. In June, 1865, the House was called upon to vote £5,000 for "preliminary expenses" on account of the management of the British department of the Universal Exhibition at Paris for 1867. That £5,000 was voted as a matter of course; it excited no curiosity. The next Vote was one of £12,000 in 1866, again for preliminary expenses; and that also passed without remark. But the other night the House was taken by surprise, by seeing a sum of £50,000 included among other things in the Supplementary Estimates, not for "preliminary expenses" but with real business connected with the Exhibition. Some little discussion then occurred, and the hon. Gentleman opposite (Mr. Hunt) was kind enough to give them, for the first time, the estimates for this Exhibition. In the previous Paris Exhibition an Estimate was laid before the House in 1854. The House voted £50,000, and strange to say only £41,000 was spent, and the remaining £9,000 was returned to the Exchequer—a great contrast to our present management. The estimates now given by the officers of the Department of Science and Art included these items:—For internal fittings, £16,100; supplemental buildings and park, £23,065; ancient and modern art, £11,050; and management, £14,755. Respecting this management they were entitled to full explanations. He understood that a house was taken at the Champs Elysées, which made up about forty beds, and that there were forty-seven secretaries to this Commission. The next item was one of £17,190 for house and office expenses. Now, he should like to know what were the salaries given to the forty-seven secretaries, and especially how much was given to "their trusty and well-beloved Henry Cole." Then there came another very singular item of £8,250 for freight, which brought the House to a very curious consideration. He wished to know whether it was true that it was designed by the Commission that there should be an exhibition of blue books in Paris. [*Laughter.*] The House might laugh, but he had been informed by the Librarian of that House that that officer had received an intimation that it was the wish of the Commission that all the blue books and all the Parliamentary publications of that House and of the House of Lords should be sent to Paris to be exhibited. He believed it was only through the exertions of their respected Speaker that this profligate waste of money had been controlled, and that only a few specimens of the blue books were to be exhibited. If this extravagant, lavish, and foolish expenditure was to go on in this way, where was it to stop? Then there was another item which he did not understand. "Royal Commission," it said, for these 102 gentlemen, £2,750. There was no explanation given of that. Then there came another, and, he thought, a most extraordinary item—namely, "Exhibition of implements of war, £11,490." Now, that was a very contradiction to the title of the Exhibition, which was instituted as an "Exhibition of works of industry and agriculture, as well as of the Fine Arts." But some evil genius on the Commission seemed to have suggested an exhibition of implements of war, and accordingly the expenditure would be enormous, because all the largest bits of ordnance which this country had produced were about to be sent to this peaceful Exhibition at Paris. He thought it was time for the House to step in and say, "We have no objection to cultivate the arts of peace, and even to send you a few blue books; but to send big guns into the bargain is not only ridiculous, but a waste of money." In the former Exhibitions, both in Paris and London, the jurors were not paid, but were thankful for a bronze medal; but here there was a grant of £12,000 for jurors. He had been so struck with this grant that he looked into the original constitution of the system of jurors, and he found that on the 26th of June, 1866, the number of Jurors for England and Ireland was eighty-five only. Now, a gentleman, who had lately been appointed a juror, informed him that each juror was to receive £50, so that these eighty-five gentlemen would receive £4,250. He should like to know what was going to be done with the rest of the £12,000? These were matters requiring explanation, for, though only £116,000 was asked for, it was well known that that would only carry them on to the opening of the Exhibition, but when it was closed his hon. Friend—and he hoped he would then be on the Treasury Bench, because he was so efficient—would be asking for another £50,000 or £60,000, and the Chancellor of the Exchequer would say, that unless hon. Members wished to imperil the peaceful relations between the two countries they must agree to his Vote. For his own part, he had no wish to stand in the way of a grant of anything reasonable and proper; but while he held a seat in the House he hoped the House would assist him when he exposed lavish expenditure and equally lavish waste.

MR. BRUCE said, that having been under the late Government a Member of that Department which was immediately responsible for the outlay of sums granted towards the expenditure on the Paris Exhibition, the House would perhaps allow him to make an explanation respecting the state of our relations with the French Commissioners up to June last. In March, 1865, the Science and Art Department applied to the Treasury for a sum of £50,000 towards the expenses of the forthcoming Exhibition, in which this country had been invited by the Emperor of the French to take part. The reason why that sum was asked for was that a similar sum had been granted in 1855; and although the £9,000 had then been returned to the Treasury, there was reason to believe that the arrangements would be on a much larger scale in 1867, and that consequently more money would be required. The then Secretary to the Treasury, Mr. Peel, adverted to the fact that the whole sum of £50,000 had not been expended in 1855, and proposed that a somewhat smaller sum —£45,000—should be granted. The reply to him was that it was impossible to estimate, at that time, what the whole expenditure would be, but that there was a probability that it would exceed the previous expenditure. The sum of £5,000 was taken that year for preliminary expenses. In January, 1866, it became necessary to consider what would be required for the current financial year, and an estimate of £12,000 was thought to be sufficient. But, that being so, the House might ask how it was that before the year had expired a further sum of £50,000 had been asked for, and he would explain the reasons of this large difference between the first estimate and the second. It was not till February, 1866, a month after the estimates had been sent in, that the Commission first became aware of the different principles under which the French Government proposed to carry on this great Exhibition. From that time to the month of May there was an unceasing struggle with the French Commissioners to resist demands which would inevitably lead to an expenditure far exceeding the sum spent in 1855. He might mention that the French Commissioners made demands for expenditure upon every possible object, except the mere shell of the building—upon the flooring, the partitions, the places on which the articles were to be exhibited, even on the very roads from the Seine up to the Exhibition. A large building in the gardens was also required for the exhibition of marine and military engines, and a house had to be erected. On the 8th of May, 1866, the Secretary of the Science and Art Department, by the direction of the Lord President, addressed a serious letter on this subject to the managing Commissioner of the French Exhibition. In that letter he stated, that although they had made demands upon exhibitors entirely different from anything asked by this country, or by the French themselves in 1855, yet there might be some show of reason in asking manufacturers, who, in sending their manufactures for exhibition, might have a view to profit, to contribute to the expenses of the Exhibition. It was pointed out, however, that the case was entirely altered when gentlemen were requested to send over works of art, and that gentlemen who did so ought not to be expected to defray the cost of conveyance, and packing and unpacking. The managing Commissioner of the French Exhibition was informed that it was the opinion of Lord Granville that the matter ought to be brought under the notice of the French Minister, M. Rouher, and that, in the event of his insisting on these conditions being complied with, a formal communication to that effect ought to be drawn up with a view to its being laid before Parliament, as furnishing the explanation why a Vote so much in excess of that which had been demanded, or thought possible, was required. No direct answer to that letter was received; but he might say that, up to the period when the late Government went out of office, no concession to these unexpected demands had been made, except that it was agreed that the Admiralty should incur a certain expenditure in landing machinery at the Seine. He entirely agreed with what the hon. Gentleman (Mr. Osborne) had said as to sending implements of war to the Exhibition. Indeed, the Commissioners of this country came unanimously to the conclusion that as this was to be an exhibition of articles of peace, munitions of war ought not to be sent to it; but on its being found that all the other nations of Europe—France and Austria especially—were going to exhibit munitions of war, it was considered that it would be ungracious if this country did not show what she possessed. ["No, no!"] As to no detailed estimate having been laid before the House at an early period, it must be borne in mind that the scheme had been growing greater day by day, and it was therefore impossible for the Department of Science and Art to say what it would be called upon to contribute. The space allotted to British exhibitors was twice as large as it had been on the last occasion, and he might mention that his hon. Friend the Member for Stoke-upon-Trent, who had so severely criticized the proceedings of the Department, had demanded, on behalf of the Architectural Society, of which he was President, not less than 110,000 square feet, which was one-third of the whole space allocated to British exhibitors. He had stated how the case stood up to the resignation of the late Government, which occurred at a most critical period in the history of the Exhibition, because it would have been their duty to decide what course they ought to take; whether, on the one hand, to imperil the success of the Exhibition, and inflict a blow on the pride of the French nation, or, on the other, to incur an expense altogether unprecedented, and to which they themselves strongly objected. In this dilemma the present Government succeeded to office, and it was they who were responsible, since the late Government had not authorized any expenditure which departed from the precedent of the previous Exhibition. He did not wish to throw any censure upon the Government, as their position was one of extreme difficulty. Much blame had been unjustly imputed to public servants during this discussion, and in order that Parliament and the country might be fully informed as to the real facts of the case, he had that night given notice that he would on the following Tuesday move for the Correspondence on the subject between the Department of Science and Art and the Treasury, and with the French Commissioners referring to expenditure.

MR. BERESFORD HOPE, having been so pointedly alluded to by his right hon. Friend the Member for Merthyr Tydvil, felt bound to explain that his large demand for space, on the part of the Institute of Architects, which he had urged, arose in this way. Very early in the day that Institute was anxious to bring together a large exhibition of works of industrial art cognate with architecture. The Executive Commission asked him how much space they would require. Their reply was, as much as the Commission was prepared to yield them. To this the Executive did not seem to demur, and they conceived they were only carrying out an intimation which they had received from it, when, in order to "regularise" their application, they put in a colourable figure, just as a man put £1,000 on his dog when he sent it to a dog show, and did not wish to part with it. This meant that they were ready to use any space which might in reason be allotted to them. From that day forward, however, when the Executive was out of temper with them, which was not unusual, they had this thrown in their teeth, though the real cause of all the difficulty had been the unconscionable time during which they had been kept waiting.

MR. NEVILLE-GRENVILLE hoped some explanation would be given satisfactory to the House and the country. He hoped some answer would be given with respect to the expenditure for jurors. The sum charged was £12,000. There were eighty-five jurors at £50 each. What was to be done with the difference?

MR. HUNT said, that no Member of the Government would complain of the jealousy shown by the House with regard to the sums asked for the Exhibition. It was the wish of the Government to give the information asked for in the best possible way, but the most convenient mode of doing so would be as he stated a few days ago. In the Estimates of 1867-8 there should be a full account respecting the various sums, and he believed the Estimates would be in the hands of Members in a few days.

MR. DILLWYN asked whether the implements of war had been as yet sent, or whether there was time to stop them?

MR. CORRY said, they had not been sent yet.

MR. OSBORNE gave notice of his intention to move on an early day that the implements of war should not be sent.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Monday* next.

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

(*Lord Naas, Mr. Solicitor General for Ireland.*)

[BILL 35.] COMMITTEE.

Clause 1 (Recited Act further continued until 1st June, 1867).

MR. BAGWELL moved to add after Clause 1, the following:—

> "That all prisoners in confinement at present under the warrant of the Lord Lieutenant by virtue of the power of the first recited Act, or who shall hereafter be arrested and committed to prison in pursuance of the same or of this Act, shall be deemed in all respects untried prisoners, and shall be treated as regards diet, clothing, exercise, and communication with friends, in the manner prescribed for actual prisoners in the several prison Acts now in force in Ireland."

It was true that considerable care had been taken of the persons arrested under the Act, but there had been cases of very great hardship. In Mountjoy Prison those prisoners were confined in separate cells; they were never taken out for exercise, and did not see the light of Heaven from one week's end to the other. He complained that there was no provision made by law to prevent persons taken up— as most of the prisoners had been taken up—on suspicion only, of being so treated. The admirable statement of the Secretary of Ireland of the number released and of the number in custody showed that the great majority had been arrested on suspicion only. He had no sympathy with these men, but he objected to the violation of a great principle of British law.

SIR GEORGE BOWYER seconded the Motion, which involved a most important principle of Constitutional law—namely, that no man should be punished until he had been convicted of an offence. This was a principle which, though acknowledged in theory, was not sufficiently carried out in practice in this country, and certainly not in Ireland, where he trusted it would now be carried out.

LORD NAAS said, he was afraid that in agreeing to the second reading of this Bill the House had consented to a departure from the principles of the British Constitution, and he was sorry that it had been his duty to ask them to do so. The Government had already done what his hon. Friend by his clause sought to have done. The strictest rule had been laid down with respect to the treatment of those prisoners. That rule was simply this—that they were to be treated in every respect as untried prisoners. And that rule was in every respect carried out. It was utterly impossible to keep them in Mountjoy Prison in association. In the best managed prisons—such as the one at Belfast, for instance—every untried prisoner was kept in separate confinement. This rule was carried out as far as possible in all gaols conducted on the new system, in order to keep the unconvicted from being contaminated by criminals. Formerly, the great blot on our prison management was the system of day rooms, which made our prisons colleges of crime, owing to young offenders being brought into constant contact with hardened felons. To keep the prisoners separate in Mountjoy Prison was necessary for the purposes of discipline. It was also indispensable for their safe keeping. He was sorry to say there was reason to believe that many of the persons arrested and sent there under the Habeas Corpus Suspension Act were violent and bad characters; and it would be highly dangerous to allow them to associate in a body. They were, however, allowed to wear their own clothes and to receive food which was bought and paid for by their friends outside. They were visited daily by the chaplain and by the warder, and were allowed books. Beyond separate confinement they were placed under no restraint. As insinuations had been thrown out respecting the treatment of those prisoners, the late Government directed their attention to the matter as far back as last March, and at that time Captain Barlow reported—

> "I was present at the male prison, Mountjoy, when —— saw several of the untried prisoners. When leaving the prison,——informed me that F. L., whom he states to be a very intelligent man, had spoken very highly of the kindness with which he was treated. ——added the treatment of the prisoners was very satisfactory to him."

That was last year; but Mr. Murray, the Director, reported to-day—

> "I have read every letter written by or addressed to the untried prisoners at Mountjoy Convict Prison, and I have never made any complaint of the treatment except in a few cases, in which association was wished for. In fact, the prisoners have repeatedly written to their friends, expressing great satisfaction at the treatment and the food. ——very lately told me that he had every reason to be satisfied with the treatment of the prisoners. The prisoners, when leaving the gaol, have invariably thanked the Governor for the kindness extended to them, and at the same time expressions of thanks have been addressed to me."

If the House wished it he could read extracts from letters written by prisoners themselves, which bore out those statements, and which showed that every indulgence, consistent with discipline and safety, had been extended to them. He had that day carefully examined all the Prison Acts, and found that they contained no provisions with respect to the treatment of untried prisoners, so that this was entirely a matter of regulation. He could only say that it was not the wish of the Government that these persons should be subjected to hardship or unnecessary severity; and that if any instance of the kind were brought to his knowledge, he would not fail to inquire closely into it.

Mr. BLAKE: The hon. Member for Clonmel should press the Motion to a division, which he deserves great credit for bringing forward and so ably advocating, unless the Government consented to its adoption. The Chief Secretary said there was no necessity for it, as the prisoners under the law, as it then stood, would be treated as untried. No doubt they were entitled to be so treated; but judging by what occurred in several cases he would cite in reference to Fenian "suspects," he believed it was very necessary to impress the subordinates of the Government with the fact that they would not be justified in treating men not only unconvicted, but even uncharged with any crime, as if they were guilty. If the Irish Executive could themselves see their intentions carried out, he would have no apprehensions that persons arrested under the Lord Lieutenant's warrant would be treated in an unexceptionally severe manner; but when the prisoners fell into the hands of underlings, who might be over-zealous in the cause of law and order, he much feared that restrictions and even severities might be inflicted neither justified by law or necessity, or contemplated by the Government. The late Administration, he believed, was just as well disposed to act right as the present one in the matter, and yet things were done in their name, and with perfect impunity, by their own officers, in reference to prisoners arrested under the Act the House was now asked to renew, as illegal, unjustifiable, and, he might add, as cruel as anything stated to have occurred in Austrian or Neapolitan prisons, about which the late leader of the House discoursed so very feelingly and eloquently. Now, he did not want the House to take his *ipse dixit* for all this; he would prove it by official Returns, and by the admissions of the Irish Executive. From these documents, it would appear that the treatment that "suspects" had been subjected to in some places was most unjustifiable. He would confine himself to the instances of Waterford, Limerick, and Cork, in all of which places it was proved to the House, by official documents and other testimony equally good, that men suspected of Fenianism were, until the matter was exposed in the House, treated worse than if they were convicted of heinous crimes. At Waterford the stipendiary magistrate, outstepping his duty (and when the prisoners had legally passed out of his control), directed certain restrictions to be placed on them, contrary to law and local regulations, which directions, with equal impropriety, were carried into effect by the local inspector. He would read a few extracts from the Return, which, he was sure, would quite delight the hon. Member for Dungannon (Major Knox), who, in his speech of yesterday, appeared so anxious that no leniency should be shown even to those who were only suspected. Hang first and try afterwards appeared to be the rule which many in that House and out of it would apply to anyone charged with Fenianism before any proof was given of their guilt. On the 20th of February, 1866, the local inspector at Waterford wrote to the Inspectors General of Prisons—

> "Under these circumstances the Governor has applied to me to know whether prisoners committed under the Suspension of the Habeas Corpus Act for no definite period, and awaiting Her Majesty's pleasure, should be treated as convicted prisoners, that is, given the gaol allowance of food and the gaol clothing. The Governor and myself would feel much more easy if these prisoners were treated as convicted men, when such instances as quoted above could not take place."

The Inspectors General replied, 21st of February, that the prisoners ought to be treated as untried, such being the opinion of the Law Adviser of the Crown. The local inspector, however, in the face of this, preferred, as appears from the following, to obey the behests of the stipendiary magistrate:—

> "Waterford Gaol, March 12, 1866.
>
> "In reply to your letter of yesterday's date, giving cover to a notice of Motion of Mr. Blake's regarding the treatment of certain prisoners confined in the Waterford Gaol, I have the honour to state that the only restrictions to which the prisoners arrested under the Habeas Corpus Suspension Act are subjected, different from those of ordinary prisoners, are in the following instances:—No intercourse with visitors outside. No interviews with legal advisers. Specifications to the above effect were given to the local inspector and Governor by the resident magistrate, Mr. Goold, and have been enforced."

Mr. Goold, the stipendiary, it would appear by the inspector's letter, reigned paramount for some weeks, his directions being adopted in preference to Acts of Parliament, the opinion of the Law Adviser of the Crown, and the advice of the Inspectors General of Prisons. The following speaks for itself:—

> "Waterford Gaol, 14th March, 1866.
>
> "Since the committal to the gaol of Waterford of the prisoners (sixteen in number), arrested under the Habeas Corpus Suspension Act, no visitors or legal advisers have been allowed to see them, though they have frequently applied for the indulgence, the resident magistrate, Mr. Goold, having directed the Governor and myself that no intercourse should be permitted between these prisoners and their relatives or friends outside."

This state of things went on until the 19th of March, he (Mr. Blake) having in the meantime called for Returns, and given notice of his intention to bring the matter before the House. On the 19th of March the Board of Superintendence, for the first time, thought it well to consider the matter and do their duty by taking the matter out of the hands of the stipendiary magistrate and local inspector, and directed that the prisoners should be treated in a legal manner. Mr. Blake detailed at some length the restrictions to which the Waterford prisons were subjected, and stated that when he first brought the matter before the House, that the Attorney General challenged the accuracy of his statements; but, to his credit, granted him Returns to enable him to vindicate them, which, when produced, he had to admit that the stipendiary magistrate had not done right, and yet he believed the conduct of that official had been otherwise passed over. The hon. Member having given an example in the treatment of a baker arrested under the Lord Lieutenant's warrant, in a town near Waterford, said these things had happened, and there was no guarantee that they would not happen again. Every precaution ought to be taken to prevent such outrages on law and propriety, and in no way this better suggested itself than to place on the face of the Bill, then about to pass, the record of the House, that untried men should not be deprived of the rights which still remained to them, though the constitution was suspended as regarded their personal liberty. He appealed strongly to the Government to allow the Amendment of the hon. Member for Clonmel to pass. It gave those who might be arrested not one privilege more than they now possessed, but it reaffirmed an important principle, and might have the effect of saving unfortunate men from the hardships which might be inflicted on them by over-zealous fools or petty tyrants, who would, if the clause were inserted, be unable to plead ignorance or necessity as an excuse for oppressing those having the misfortune of being placed in their power.

Mr. LAWSON suggested that under the Prison Act there were two classes of prisoners—those committed for trial and those who were convicted. Now the prisoners committed under the Lord Lieutenant's warrant did not belong to either of these classes. The late Government intimated that they ought to be treated as untried prisoners, and ought not to be subject to any discipline except what was necessary for their safety. It struck him that if the latter part of the clause were left out after "untried prisoners," that would leave the action of the local gaols unfettered.

After a few words from Major Knox and Mr. O'Beirne,

Lord NAAS said, he understood the prisoners at Waterford were treated as untried prisoners.

Mr. BLAKE denied that this was the case. They were subjected to restrictions in regard to exercise, to communicating with their legal advisers, seeing their friends, and the supply of books.

Lord NAAS said, in that case the officers of the prison had acted illegally, and were guilty of a breach of the law. If his hon. Friend would agree to stop at the words "untried prisoners," and insert the words "so long as they are in confinement" after the word "deemed," he had no objection to the clause.

Clause, as amended, added to the Bill.

Bill *reported;* as amended, *considered;* read the third time, and *passed.*

SUGAR DUTIES BILL.

(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer.*)

[BILL 37.] COMMITTEE.

Mr. CRUM-EWING urged on the Government the necessity of taking steps to induce other countries to adopt the new arrangements in this matter simultaneously with this country, in order that the British trade might not suffer disadvantage.

The CHANCELLOR of the EXCHEQUER said, the Belgian Government had already signified its assent to join in the carrying out of the Convention, if the other powers did so, and within the last half hour they had received a telegram stating that the French Government had also given its assent. By Monday next he hoped to receive similar news from Holland. There would be no want of activity shown by Her Majesty's Government in this matter.

Bill *reported;* as amended, to be considered upon *Monday* next.

METROPOLIS GAS BILL.

On Motion of Sir Stafford Northcote, Bill to amend "The Metropolis Gas Act, 1860," and to make further provision for regulating the supply of Gas to the Metropolis; and for other purposes connected therewith; *ordered* to be brought in by Sir Stafford Northcote, Mr. Secretary Walpole, and Lord John Manners.

Bill *presented,* and read the first time. [Bill 45.]

PETIT JURIES (IRELAND) BILL.

On Motion of Mr. Solicitor General for Ireland, Bill to consolidate and amend the laws relating to Petit Juries in Ireland, *ordered* to be brought in by Mr. Solicitor General for Ireland and Mr. Attorney General for Ireland.

Bill *presented,* and read the first time. [Bill 46.]

COURT OF CHANCERY (IRELAND) BILL.

On Motion of Mr. Solicitor General for Ireland, Bill to amend the constitution, practice, and procedure of the Court of Chancery in Ireland, *ordered* to be brought in by Mr. Solicitor General for Ireland and Mr. Attorney General for Ireland.

Bill *presented,* and read the first time. [Bill 47.]

COMMON LAW COURTS (IRELAND) BILL.

On Motion of Mr. Solicitor General for Ireland, Bill to amend the pleading, practice, and procedure of the Courts of Common Law in Ireland, *ordered* to be brought in by Mr. Solicitor General for Ireland and Mr. Attorney General for Ireland.

Bill *presented,* and read the first time. [Bill 48.]

CHARITABLE DONATIONS AND BEQUESTS (IRELAND) BILL.

On Motion of Mr. SOLICITOR GENERAL for IRELAND, Bill to amend the Law of Charitable Donations and Bequests in Ireland, *ordered* to be brought in by Mr. SOLICITOR GENERAL for IRELAND and Mr. ATTORNEY GENERAL for IRELAND.

Bill *presented,* and read the first time. [Bill 49.]

SEA COAST FISHERIES (IRELAND) BILL.

On Motion of Mr. BLAKE, Bill to amend the Law of Ireland as to Sea Coast Fisheries, *ordered* to be brought in by Mr. BLAKE, Colonel TOTTENHAM, and Mr. BRADY.

Bill *presented,* and read the first time. [Bill 50.]

COUNSEL TO THE SECRETARY OF STATE FOR INDIA BILL.

On Motion of Mr. SELWYN, Bill to enable the Standing Counsel to the Secretary of State in Council of India to sit in the House of Commons, *ordered* to be brought in by Mr. SELWYN, Mr. BUXTON, and Mr. COLERIDGE.

Bill *presented,* and read the first time. [Bill 51.]

House adjourned at half after One o'clock, till Monday next.

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HOUSE OF LORDS,

Saturday, February 23, 1867.

MINUTES.]—PUBLIC BILL—*First Reading*—Habeas Corpus Suspension (Ireland) Act Continuance* (24).

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL.

Brought from the Commons; read 1^a; to be *printed;* and to be read 2^a on *Monday* next; and Standing Orders Nos. 37. and 38. to be considered in order to their being dispensed with: (The Earl of Derby). (No. 24.)

House adjourned at a quarter past One o'clock, to Monday next, Eleven o'clock.

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HOUSE OF LORDS,

Monday, February 25, 1867.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Habeas Corpus Suspension (Ireland) Act Continuance, read 2^a, Committee *negatived,* read 3^a and *passed* (24); Alimony Arrears* (17).

Committee—Masters and Operatives (3); Lis Pendens* (6); Sale of Land by Auction * (10).

Report—Lis Pendens* (6); Sale of Land by Auction* (10); British North America* (9).

AGRICULTURAL GANGS.—QUESTION.

THE EARL OF SHAFTESBURY: As I see the noble Lord the Under Secretary for the Home Department in his place, I will take this opportunity of asking him a Question. It will be in the recollection of your Lordships that about a year and a half ago I moved in this House an Address praying that the inquiry of the Commission appointed to inquire into the employment of children and young persons in trades and manufactures not already regulated by law might be extended to an abuse of which we had heard a great deal, called agricultural gangs, it appearing that gangs of children were hired out to work like slaves in the county of Lincoln and other counties adjacent. I am anxious to know, Whether the Report of the Commission has been made; and, if so, whether it will soon be presented to the House? I understand the Report will contain facts which will throw much light upon the question as to whether the principle of the Factory Acts may not, with certain modifications, be applied to the children in the agricultural districts. This matter is of great importance at the present time, in consequence of a measure for the extension of the Factory Acts having been introduced in the House of Commons.

THE EARL OF BELMORE: In reply to the noble Earl, I have to state that the Report has not yet been received at the Home Office; but I have made inquiries on the subject, and have ascertained that there is every reason to expect that it will be received very shortly. The delay has occurred in consequence of the nature of the inquiry and the extensive field over which it ranged.

PRIVATE BILLS—CHURCHYARDS AND CEMETERIES.

STANDING ORDER 182. AMENDED.

THE EARL OF BELMORE, in *moving* an addition to the Standing Order No. 182, said, it would be necessary for him to make some explanation of the circumstances under which it became necessary to make the proposed alteration. In 1862-3 the Midland Railway Company obtained an Act to extend their line into London, and by that Act they were empowered to construct a bridge over a part of the churchyard of St. Pancras. In 1864 they obtained another Act, empowering them to construct a tunnel under St. Pancras churchyard, on condition, however, that the top of the tunnel should be twelve feet at least from the surface of the ground. In the course of last year the attention of the then Secretary of State was called to the method in which the Midland Railway Company were exercising their powers. A complaint was made that there had been a great disturbance of remains in the churchyard of St. Giles which was situated in the parish of St. Pancras. A memorial on the subject was also presented to the Board of Health. A gentleman also complained that his late father-in-law's grave, which was sixteen feet deep, was in that part of the churchyard of St. Pancras under which the tunnel was to be made, and as the top of the tunnel was to be within twelve feet of the surface of ground, the grave would be cut away from below. Sir George Grey had caused an inspection to be made, and from the Inspector's Report it appeared that the Company's engineer was in consultation with the advisers of the Bishop of London and the officer of the Health of the District, as to the safest mode of procedure to be adopted. In the month of December complaint was again made by an hon. Member of the House of Commons that the Company were making an open cutting in excess of their powers through St. Pancras churchyard, thereby disturbing a large number of bodies, and remains of bodies, and which he estimated at 10,000. Mr. Walpole caused another inspection to be made, and the Inspector (Mr. Holland) reported that a very great disturbance of remains had no doubt taken place—probably more than was contemplated by the Select Committee of the House of Commons; and that the Company were advised that they were not acting in excess of their powers. Under the circumstances, perhaps the method by which they were proceeding was less dangerous than that originally proposed; and he went on to say—

> "The Incumbent, who was naturally very indignant at the indecent manner in which the navvies, who were at first employed, were hacking the coffins to pieces and throwing the bones about, now expresses himself quite satisfied at the respectful manner with which the remains of the dead are treated, and with the great pains taken to do a very improper thing with as little impropriety as possible; and Dr. Hillier and his assistants say that the officers of the company are not merely willing, but most anxious, to do everything he had suggested, both to guard against danger and avoid exciting alarm or giving cause for complaint."

Now, it might be very necessary that in some instances a railway should be made through a burial ground; but it was a matter of great delicacy, and it therefore appeared to be desirable that Committees in granting such a power should have the fullest information before them. The machinery for obtaining that information without much expense existed at the Home Office, and Mr. Walpole therefore had concluded that, with that object in view, an addition to the Standing Order should be proposed in both Houses of Parliament. He therefore *moved*—

That Standing Order CLXXXII. be amended by adding the following Words; viz.,

Where in any Bill Application is made for Powers to take any Churchyard, Burial Ground, or Cemetery, or to disturb the Bodies interred therein, there shall be deposited at the Office of the Secretary of State for the Home Department a Copy of all Plans, Sections, and Books of Reference required by the Orders of the House to be deposited in the Office of the Clerk of the Parliaments, so far as such Plans, Sections, and Books of Reference relate to the Churchyard, Burial Ground, or Cemetery to be so taken, together with a Copy of the Notice published in the Gazette of the intended Application to Parliament; and also a printed Copy of the Bill at the same Times when such Plans, Sections, Books of Reference, and Notice and such Bill are required to be deposited in the Office of the Clerk of the Parliaments; and any Report made under the Authority of the said Secretary of State shall stand referred to the Committee on the Bill.—(*The Earl of Belmore.*)

Agreed to; and Standing Order, as amended, to be *printed* and *published.* (No. 26.)

HABEAS CORPUS SUSPENSION (IRELAND) ACT CONTINUANCE BILL—(No. 24.)

(*The Earl of Derby.*)

SECOND READING. THIRD READING.

Order of the Day for the Second Reading read.

THE EARL OF DERBY: My Lords, in moving the second reading of this Bill I do not feel it necessary to enter at any very considerable length into the reasons which make it necessary for Her Majesty's Government to apply to Parliament for a continuance of the extraordinary powers with which the Executive is now invested. The state of affairs in Ireland is so well known, and the circumstances have been so plainly brought before us by recent events, that I feel I ought rather to make an apology to your Lordships for the Government having held out in the Speech from the Throne the delusive hope that we should have been able at an early period during the present Session to return to the ordinary course of the law. In asking your Lordships to renew the Habeas Corpus Suspension Act in Ireland, we ask to continue a policy which was adopted by the late Government, which was accepted unanimously by Parliament, which has been continued now for nearly a year, and of which, under recent events, we feel it an imperative duty to propose the continuance for the shortest possible period, during which you will be able to judge whether it will be necessary to continue it for a further period. I am sure your Lordships will agree with the Motion I have to make, and not refuse the Government a power which in the present state of Ireland they believe to be necessary. Indeed, it is hardly necessary to apologize for the Bill, inasmuch as the House of Commons unanimously—without a single dissentient voice—have agreed to the continuance of the Suspension of the Habeas Corpus Act. It is, no doubt, my duty to show to your Lordships that the powers given to us under the Bill of last year have not been exercised in an arbitrary or oppressive manner. On the contrary, it has been the object of the Government to relax as much as possible the severity of these powers; and I may add that, so far from the measure being regarded as arbitrary and oppressive by well-disposed persons they look upon it as one which affords them a protection, of which they stand in the greatest need, and a relief from very serious difficulties. If we had to deal with the native resident population of Ireland, a measure of this kind would be absolutely unnecessary; for, although they are easily prejudiced—although they will listen to anything that holds out a prospect of excitement—I believe that in the main they are thoroughly and entirely loyal. I will take the opportunity of quoting a very remarkable charge addressed a few days ago to the Grand Jury of the county of Limerick by Mr. Justice Fitzgerald. The learned Judge said—

> "I may congratulate you on the fact that this county, with its quarter of a million of inhabitants, may compare advantageously as regards crime with any other in Her Majesty's dominions. None of the cases which are to be submitted to you call for any special observations from me. It seems, therefore, that the county is in a most peaceful state, life is secure, property is respected, and the law is enforced against offenders. Under ordinary circumstances it would be my pleasing duty to dismiss you with the congratulation I have addressed to you on the peaceful state of the county. It is, however, my duty further to observe that it has been found necessary by the Government to propose a further extension of the extraordinary powers with which Parliament has in its wisdom invested the Executive. You may agree with me in thinking that there is no cause for real apprehension for the safety of the country; but it is difficult to exaggerate the evils that the state of insecurity which has been produced by the acts of foreign incendiaries has brought upon the country. The great mass of the population is loyal at heart, but there is a feeling of insecurity—property is impaired in value, industry of all kinds is discouraged, and people are flying from the country, we may think without any just cause. I hope, gentlemen, that I am not exceeding the duties of my position when I say that, though the Government may employ repressive measures, yet the preventive and curative remedies are in your hands. The law which with its ordinary powers is administered by you as magistrates can do a great deal towards curing the ills of the country. You can do much by your magic presence. There should be no panic; each magistrate should stay at his post, and do his duty in his own neighbourhood. The clergy of all denominations are with us. The hierarchy of all Churches have denounced this insane and wretched movement. Every owner of property, every man of education or intelligence, every representative of industry, and even every small farmer is opposed to it. I failed to perceive, when I was judicially engaged in those matters, that anyone belonging to any of those classes was engaged in the conspiracy—none but men who have nothing to lose, aided by foreign incendiaries. Of course, when I alluded to the extraordinary powers which have been conferred upon the Government, I referred to the Suspension of the Habeas Corups Act, which I, for one, regard with approval, while I sincerely regret the circumstances which have rendered necessary a measure so at variance with the principles on which our Constitution is founded. All classes in the country are deeply interested in the preservation of peace and order, and in the removal of the circumstances which have made us a byword in Europe, and I have endeavoured to show that this result must be attained by our own exertions. I may conclude by saying that I believe that this Fenian conspiracy is really as abortive and unsubstantial as the ridiculous attempt at an insurrection which has recently taken place in an adjoining county."

Now, my Lords, there is not a single word of that address, coming as it does from so impartial a quarter, to which I do not give my hearty and entire concurrence. It has been asked how is it, if the people of Ireland are so loyal as they are represented to be—if they have so little sympathy with the parties to this miserable insurrection—that none of the persons engaged in this rising have been arrested and brought to justice by the peasantry? I think the answer is very simple. The noble Earl opposite (the Earl of Kimberley) and other noble Lords who are listening to me know that if there be one feeling in the Irish mind stronger than another it is hatred of the name of informer, and however atrocious the crime, however great the delinquency may be, the notion of the people is that if they came forward, brought the guilty to justice, and gave evidence in support of the law, they would be taunted with the name of "informer." They confound the two opposite characters—that of a person who comes forward to give evidence against those with whom he has been associated, and that of a person who appears as one of the public to bear testimony against a criminal in a court of justice. That is a singular feeling no doubt; but it is an universal one throughout Ireland; and therefore the fact that the people do not assist in bringing disaffected persons to justice does not prove they are themselves disloyal. Now with regard to the expectations held out in the Queen's Speech, as to our being able to dispense with these extraordinary powers. I will quote a few figures to show that the course of proceedings had been tending to a general restoration of tranquillity. When Her Majesty's Government came into office the number of prisoners in confinement under the Suspension Act was 330; by the 1st of September the number was reduced to 286, and subsequently it fell to seventy-three. The warrants issued for arrests were in September one, in October one, and in November five. But at the end of November fresh excitement was manifested. There was a collapse of Fenianism in the United States, and I presume it was apprehended that the imposture would soon come to an end, that the dupes were beginning to be disabused, and that it was necessary for the leaders to take some active steps to replenish the Fenian exchequer by drawing more money out of the ignorant and credulous Irish people. Every day there were reports of the landing of Stephens and the setting out of an invading army which was to come from America, and it was held out that before Christmas arrived Ireland would be in a state of general insurrection. These mendacious assertions had their effect upon the minds of excitable and credulous persons; so that in December it was found necessary to issue ninety-seven warrants; which were followed by seventeen in January, and nine in February, making a total of 130 from the month of September. The renewal of excitement led to an universal outburst of loyalty throughout the country. Magistrates, gentlemen, farmers, and persons of all opinions came forward, expressing their readiness and determination to assist the Government in putting down any outbreak in case persons were insane enough to attempt it. The Lord Lieutenant, of course, accepted with thanks those offers of assistance in case the Government were unable to maintain their own; but, at the same time, expressed, on the part of the Government, his conviction that the powers with which the law armed them would prove sufficient, without the active co-operation of the loyal inhabitants. Fortified by these strongly-expressed sentiments of disapproval and disgust of the attempts made to disturb the tranquillity of the country, Lord Naas, on returning to town before Christmas, did express a strong opinion that we should be able to do what we all unanimously regarded as desirable —namely, to allow the Suspension Act to expire, and to rely upon the ordinary law for preserving the peace in Ireland. Whether, owing to the expectations created by the announcement of the speedy expiring of the Act, or to a belief that the Act had actually expired, certain it is that immediately after that declaration there was a renewal of excitement. Your Lordships need not be reminded of what took place at Chester—an absurd attempt, but it undoubtedly did give a certain stimulus to the disaffected in Ireland. Then came that most ridiculous rising at Cahirciveen; which was, nevertheless, sufficient to throw the whole country into confusion, to disturb its tranquillity, and to render necessary movements of troops and constabulary. But the moment that the movement showed such a front as the Government could deal with, it collapsed into the absurd and ridiculous position from which it never ought to have emerged. There is not the smallest doubt that the Government have ample powers under the ordinary law to deal with any attempt at an outbreak; but, at the same time, there are, as we know, a number of persons from foreign countries—and I am sorry to say a number of persons from this country also—who are endeavouring by every means to stimulate their dupes in Ireland, and who occasionally go over to that country and venture their own persons in furtherance of that object. It is to protect the Irish people against the inroads and assaults of these persons that we propose what in ordinary cases would be considered an arbitary measure; but which, on the present occasion, is regarded by all the well-disposed as a necessary precaution against the attempts of persons who really have no interest in the country, and whose only object is to create disturbance for the sake of disturbance, or are actuated by still baser motives. I believe that the late outbreak, inconsiderable and trivial as it was, might have been more serious but for the information we had previously received, and for the means which we possessed under the Habeas Corpus Suspension Act of arresting at once the leaders of the intended outbreak. It is in the power which it confers of arresting these leaders, and thus of checking a movement before it can produce any effect upon the population, that the benefits of the Habeas Corpus Suspension principally exists. Under the noble Marquess now at the head of the Irish Government (the Marquess of Abercorn), I am confident that this power will be administered—as it was administered by the noble Earl lately at the head of that Government—with discretion and firmness, and, at the same time, with temper and moderation. I believe the proposed renewal for a short time of this Act will be hailed in Ireland with all but unanimous approval, as it has been already received in the House of Commons. I hope your Lordships will confirm the decision at which that House has arrived, by assenting unanimously to the second reading of this measure.

Moved, "That the Bill be now read 2ª."—(*The Earl of Derby.*)

EARL RUSSELL: My Lords, I am quite ready to give my cordial concurrence to the proposal of the noble Earl. That Her Majesty's Government were reluctant to propose the renewal of these powers is evident from the passage in the Queen's Speech upon the subject. But the facts which have lately occurred are not only sufficient to justify, they have made it incumbent on Her Majesty's Government to take this course. Whatever may be the present state of the law, and whatever may be the future improvements made in that law, the first duty of the Government is to give security to life and property; and without this security neither the present nor improved laws can promote the prosperity of Ireland. The noble Earl has stated, and it is quite true, that speculation has been practised on the credulity of the people of Ireland; that this is not a spontaneous outbreak, but has been excited by those who came from abroad. I must say I have arrived at the conclusion that there never were baser motives on the part of any persons undertaking to be rebels and insurgents than those which impelled the instigators of the late outbreak. In the United States of America, more especially, great sums have been collected on the pretence that Ireland was about to be freed, and that the Irish Republic was about to be established; and advantage is taken of the panic created, at one time in Ireland, at another time in Canada, to make fresh demands upon the unfortunate dupes who have given their money, hoping that this great revolution is about to be accomplished, but in reality only for the purpose of filling the pockets of those who practise on their credulity. It would appear, from a passage in the Message of the President of the United States, that the Government of that country have gone even beyond what international duty prompts, and have endeavoured to interfere with the course of justice in the case of persons participating in these insurrectionary movements. For I find the President using this language—

> "Some of our citizens who, it was alleged, were engaged in the expedition, were captured, and have been brought to trial, as for a capital offence, in the province of Canada. Judgment and sentence of death have been pronounced against some, while others have been acquitted. Fully believing the maxim of Government, that severity of civil punishment for misguided persons who have engaged in revolutionary attempts which have disastrously failed is unsound and unwise, such representations have been made to the British Government, in behalf of the convicted persons, as, being sustained by an enlightened and humane judgment, will, it is hoped, induce in their cases an exercise of clemency and a judicious amnesty of all who were engaged in the movement. Counsel has been employed by the Government to defend the citizens of the United States on trial for capital offences in Canada; and a discontinuance of the prosecutions which were instituted in the courts of the United States against those who took part in the expedition has been directed."

My Lords, it will be quite right to show mercy and to exercise clemency whenever those qualities can properly and wisely be exhibited. But I do not think that any foreign Government should put forward appeals for mercy and clemency on behalf of those who have made it evident that a mercenary expedition was their only object in venturing to Ireland with a view of exciting the subjects of Her Majesty, who are loyal, to rise in rebellion against her throne, to disturb all the relations of society, and to break out into open rebellion. Her Majesty's Government, in awarding punishment, will, no doubt, take into consideration the degrees of guilt on the part of those who may be convicted, and in applying to each case its measure of punishment will extend such mercy as they feel can safely be done. But I must say that there never was more misplaced sympathy, there never was a more unjustifiable demand upon the Government of one country by another than to extend a complete amnesty to men who, having left their native land, and obtained a settlement and a means of succeeding by their industry in another country, returned with these detestable notions to invade Her Majesty's dominions. The noble Earl opposite touched on one subject which was rather painful—namely, the disposition which exists, and has existed for a very long time, among the people of Ireland always to give their sympathies against the law, and not in favour of the law—not, as in this country, to confide in the just administration of the law by those charged with that duty, but rather to sympathize with those placed at the bar as defendants, and to refuse to give evidence to convict those persons of the crimes of which they have been guilty. This is a very painful consideration. I do not wish to discuss the matter now; but whenever the time comes that the Government think it wise that this Act should expire, the consideration, of course, is one that will not be overlooked by them. In the present instance, as I have said, the first duty of the Government is to give security to life and property, and I do not doubt they will exercise the powers now asked for with discretion, and will consent to dispense with them as soon as possible. I therefore support the Motion of the noble Earl.

THE EARL OF KIMBERLEY: My Lords, before the Bill is read a second time I wish to make one or two observations. I fully agree with what the noble Earl (Earl Russell) has just stated, that, however painful the necessity may be, it is absolutely necessary to continue the Suspension of the Habeas Corpus Act in Ireland. I should possibly not have troubled your Lordships with any remarks but that, allusion having been made to the advice which was given to the Queen as to the non-renewal of the Habeas Corpus Suspension Act, I desire to call the noble Earl's attention to a statement made by the Irish Attorney General on the occasion of his election for Galway, which I confess somewhat diminishes my confidence in the advice which was tendered upon that question. It is quite possible that the right hon. and learned Gentleman may have been misrepresented, and, if so, I desire that my remarks may be considered as inapplicable to him. But in the report, which I take from *The Freeman's Journal*, I find these words—

> "He came before them as Her Majesty's Attorney General in this kingdom, and he was proud to announce that upon his advice and responsibility the Executive of this country had come to the conclusion it was safe—that it was more than safe—that the people of Ireland should live under a free Constitution; and that measures which he supposed were necessary for the public welfare, although personally he might have had his doubt even of that—were no longer needed—that the time had now come when it could go forth that the loyalty and conduct of the preponderating majority of the people of Ireland were such that they were not to be kept at the mercy of a suspended Constitution."

The point to which I wish to call attention is that the Irish Attorney General, holding a position of peculiar responsibility with regard to matters of this kind, should have stated—if he did so state—in public that he had his doubts as to the advisability of previous suspensions of the Habeas Corpus Act. I venture to think that whatever difference of opinion there may be now upon the subject, at the time the suspension of the Act was resolved upon Parliament was almost, if not quite, unanimous in that resolution. A gentleman, holding the position of Attorney General for Ireland, must necessarily be held more strictly responsible for the words he uses than if he were merely an independent Member of Parliament; and, knowing something of the Irish people, I must say that I think the observations which I have quoted would have anything but a good effect. The Attorney General went on to speak of the number of persons arrested and released; but without wishing to detract from the credit due to the present Irish Government in having been able to release a number of prisoners, I must say that many of those originally arrested were released before the late Government left office. 756 persons had been arrested up to the time that I left Ireland, and 330 or 339 were in custody when the present Government came into office; so that no less than 417 had been released under my direction. Therefore, though the present Government have acted very wisely in continuing the process of release initiated by us, I think it right to state that the Attorney General has not stated the case quite accurately. With respect to the recent most ridiculous outbreaks, I wish to say that I rejoice exceedingly that my anticipations of wide-spread sympathy with the leaders of any outbreak have been falsified. I trust that the total break-down of the scheme will open the eyes of the infatuated people who have recklessly spent their money and endangered their liberty in a perfectly futile attempt to upset the Queen's Government in Ireland. Before quitting this subject it would be unjust not to give due credit to the present Irish Government and the local authorities for the promptness and vigour which they showed upon the first signs of a disturbance; their conduct will, no doubt, have a marked effect upon the disaffected, and clearly show them the fruitlessness of attempting to carry out their designs. I am glad to find that a clause has been inserted in the present Bill providing that those apprehended on the warrant of the Lord Lieutenant shall be treated as untried prisoners. This is an extremely just and necessary provision; but it must not be supposed that either the late or present Government, as far as I know, have neglected their duty in this respect. It is true that when the Act was first suspended a large number of apprehensions immediately took place, and for a short time prisoners were not all treated in certain local prisons in the way we approved; but as soon as any fact of the kind came to my knowledge, I took immediate steps to remedy the evil of removing these prisoners, and in Mountjoy Prison, which is under the direct control of the Government, their treatment was quite satisfactory.

THE EARL OF DERBY: The noble Earl (the Earl of Kimberley) was good enough to give me notice of his intention to ask the question he has put with reference to the Attorney General for Ireland, and I felt it my duty to ascertain from him how far the report of his address was correct. The learned Gentleman, in reply, states that the report in *The Freeman's Journal* was written in the third person, and therefore naturally conveyed a less perfect report of what was actually said than if it had been given in the first person. The Attorney General informs me that the language reported in the *Irish Times* or some other paper was more accurate, and he states that in congratulating the country upon the probability of being able to dispense with the operation of this Act, he certainly said, "Personally, I may have had my doubts as to the necessity of that measure." The learned Gentleman says that this observation referred to a conversation he had with the noble Earl opposite at the time of the first introduction of the measure, when he sat in the other House as a private Member for Galway. The noble Earl having consulted him with regard to the state of the country, he said that, as far as he knew, no disloyalty existed in the district with which he was connected, and that he did not think at that time the measure was needed. I believe he expressed this opinion very freely to the noble Earl; and he thinks that opinion, so far as the western districts of Ireland were concerned, was perfectly just, for out of the 752 persons arrested, only twenty of them were farmers and thirty-five of them farmers' sons, while 441 were tradesmen, shopkeepers, clerks, and commercial assistants; and his opinion he considers to be confirmed by the charge of Mr. Justice Fitzgerald at Limerick. It is evident from this that the Attorney General wished to convey that at that time the general character of the county of Galway was not such as to need the suspension of the Habeas Corpus Act in Ireland, whatever the rest of the country might require. Of course, he did not wish it to be inferred that, in his opinion, the Act had not proved beneficial; he simply desired to express his great satisfaction at the probability of being able to dispense with it on an early day. Unfortunately, that speech was delivered a few days before the outbreaks at Chester and Kells had taken place; otherwise I think his remarks would not have been mistaken for anything more important than the record of an opinion he had previously expressed to the noble Earl who had done him the honour to consult him. With regard to the remarks made upon the Message of the President of the United States, I regret that I am obliged to discuss the subject. The Correspondence on that subject will, as soon as it is printed, be laid upon the table of the House, and noble Lords will see that while we have not disputed what can fairly be claimed by the Government of the United States, we at the same time have not admitted the right of any foreign Government to interfere with the principles which guide us in the administration of justice; and that while, on the one hand, the just wishes of the United States have not been neglected, the independence and the honour of the tribunals of this country have not been in the slightest degree sacrificed.

Motion *agreed to;* Bill read 2^a accordingly: Committee *negatived;* Standing Orders Nos. 37. and 38. *considered* (according to Order), and *dispensed with;* Bill read 3^a, and *passed.*

EMPLOYMENT OF VOLUNTEERS IN CIVIL DISTURBANCES.

OBSERVATIONS.

LORD ST. LEONARDS, in rising to call the Attention of the House to the Employment of the Volunteers in case of Riots or Attacks by Fenians, said, that his motives in bringing forward this subject were the difference of opinion that existed, and in order that the Volunteers of this country and the public at large might distinctly understand what their duty was in connection with the suppression of riots and tumults. In our old law books it was laid down that the sheriff was entitled to summon all the people of the county to attend him on such occasions —to call out the *posse comitatus*, as it was termed—and by a Statute of Henry V. the neglect to attend such summons was punishable by fine and imprisonment. But with reference to the case of soldiers and Volunteers he would deal more particularly; and, without going back to 1715 or 1745, he would call their Lordships' attention to a speech delivered in that House by Lord Mansfield in reference to the Lord George Gordon riots of 1780. Lord Mansfield said—

> "It appears most clearly to me that not only every man may legally interfere to suppress a riot, much more prevent acts of felony, treason, and rebellion, in his private capacity, but he is bound to do it as an act of duty, and, if called upon by a magistrate, is punishable in case of refusal. What any single individual may lawfully do, so may any number assembled for a lawful purpose; which the suppression of riots, tumults, and insurrections certainly is. It would be needless to endeavour to prove that what a private man may undertake to perform may be performed by a magistrate, who is specially authorized by law for the purpose of keeping the peace. It is the peculiar business of all constables to apprehend rioters, and to endeavour to disperse all unlawful assemblies; to apprehend the persons so offending, and in case of resistance to attack, wound, nay, kill those who shall continue to resist."

There was evidently a mistake in the next sentence of the speech, but the meaning was clear—

> "The very act of apprehending in arms the person, with every necessary power for the effectual performance of the duty prescribed by the law, and consequently every person acting in support of the law is justifiable respecting such acts, such acts as may arise in consequence of a faithful and proper discharge of the duties annexed to his office, if he does not abuse the power legally vested in him, which may, according to the circumstances accompanying the transaction, degenerate into an illegal act, though professedly committed under the colour or pretext of law. These several positions I take to be incontrovertible, with all the possible consequences which can flow from them, and to be the true foundation for calling in of the military power to assist in quelling the late riots. The persons who assisted in the suppression of those riots and tumults in contemplation of law are to be considered as mere private individuals acting according to law, and upon any abuse of the legal power with which they were invested are amenable to the laws of their country."
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> "The military have been called in, and very wisely called in, not as soldiers but as citizens; no matter whether their coats be red or brown, they have been called in aid of the laws, not to subvert them or overturn the Constitution, but to preserve both." — [*Hansard, Parl. History*, xxi. 695.]

In a later debate, Lord Mansfield said—

> "When a felony was committing or committed, and no justice or constable present, men were undoubtedly to exert themselves, and if they could not apprehend they were justifiable in putting the perpetrators to death. This justification, however, depended on the circumstances of the case."—[*Hansard, Parl. History*, xxi. 746.]

That eminent Judge laid down the doctrine in that House, which had never been disputed, that soldiers acting on such occasions were acting as civilians, and were liable to the consequences of all illegal acts, even though committed by order of their officers. But, although a soldier, by such a rule, must necessarily incur serious liabilities by disobeying his officer, and might render himself liable to unpleasant consequences by his disobedience, there could be no doubt that if a soldier, in doing an illegal act, simply and honestly fulfilled an order given to him by his commanding officer, such conduct would not be attended with any harm to himself. Upon the debate on the 21st of June, 1780, on the Duke of Richmond's Motion respecting the conduct of the military in disarming the citizens of London during the riots—which was negatived without a division—the Lord Chancellor, Lord Thurlow, spoke in the highest terms of Lord Mansfield's speech. He said—

"The learned Lord had left him little to add on the subject. Most clearly in all cases of felony it was the duty of every man, let his professional character be what it might, to aid and assist in apprehending the felon. In cases of public outrages and tumult it was the duty of all to assist in quelling it, to apprehend the rioters, and to deliver them over to the officers of justice; and in case of resistance, or on finding that they could not stop the outrage by any other means, after it had got to the length of pulling down houses, &c., or assaulting or wounding His Majesty's peaceable subjects, then all present were warranted to proceed to extremity, and use such weapons as they were furnished with for the destruction of the rioters. Every man had a right to oppose force to force on that first principle of the law of nature as well as the law of the land, self-defence; so the military, when present, individually as private persons, or collectively under military command, if they were insulted and assaulted by being pelted with brickbats, stones, &c., had a right to repel the violence and defend themselves. And in doing so the military did nothing but what every man else was warranted by law to do; because the military in every part of their conduct, in such cases as he had stated, were bound to obey the law."

Lord Thurlow proceeded to show—

"That the military, individually, and the private citizen were equally liable to the same exercise of the civil power, and bound to pay it the same subordination, by discharging the duties imposed on them with equal punctuality and faithfulness. Lord Thurlow then entered into a very copious discussion of the power of the sheriff in regard to the calling out of the *posse comitatus*, which comprehended in it every individual male of the county capable of bearing arms, the sheriff having it at his option to give weapons fit for the occasion to such of them as he thought proper. In proof of what he had asserted, he stated that soldiers, when not employed on military duty, were obliged, if at quarters or elsewhere in the county, to obey the sheriff's summons whenever he called out the *posse comitatus*, and to attend in person to receive and obey the orders of the sheriff."—[*Hansard, Parliamentary History*, xxi. 738.]

Lord Chief Justice Tindal, in his charge on the occasion of the trials of the rioters at Bristol, in 1832, stated that it was—

"The duty and right of every private person of his own authority to suppress a riot by every means in his power. And the law acknowledges no distinction in this respect between the soldier and the private individual. The soldier is still a citizen, lying under the same obligation, and invested with the same authority, to preserve the peace of the King as any other subject. If the one is bound to attend the call of the civil magistrate, so also is the other; if the one may interfere for that purpose when the occasion demands it, without the requisition of the magistrate, so may the other also; if the one may employ arms for that purpose, when arms are necessary, the soldier may do the same."

With reference to the debates in that House on the Duke of Richmond's Motion it might be useful to call their Lordships' attention to what passed between the City and the Government as to the right of the citizens to carry and use their arms. The correspondence would be found in the Appendix to the Chronicle in *The Annual Register* of 1780, from which it appeared that the Government pressed upon the Lord Mayor "not to omit any legal exertion of the civil power which might contribute upon that occasion to preserve the public peace." The inhabitants of the City proposed to arm themselves for their protection against the rioters. The plan was to have a battalion company of fifty of the opulent part of the inhabitants, armed, clothed, and taught the manual and platoon exercise at their own expense, and not to do duty out of their own ward. Lord Amherst, then at the head of the army, wholly disapproved this intention, on the ground that "no person could bear arms in this country but under officers having the King's commission." He gave directions to the officer commanding the troops in the City—

"If any arms were found in the hands of persons except they were of the City Militia, or were persons authorized by the King to be armed, to order the arms to be delivered up to him to be safely kept until further order."

The Government and the king did not think it expedient that any person

"Should be permitted to use arms otherwise than for the immediate defence of their houses, or being under the command of persons receiving commissions from the King."

This order leading to an unpleasant correspondence between the City authorities and the Government, the latter ultimately explained that in a time like that—

"Of real danger from riots, tumults, and rebellious insurrections, a reasonable number of inhabitants armed, according to the nature and circumstances of the case, might attend the police officers as assistants to them, for the preservation of the public peace until the danger was over; but although His Majesty's Protestant subjects might carry arms for their defence suitable for their conditions, and as allowed by law, yet they could not by law assemble in bodies armed, and be mustered and arrayed without the authority of His Majesty."

The noble Earl opposite (Earl De Grey and Ripon) had addressed a letter to *The Times* newspaper. It concluded in the following terms:—

"The law clearly confers no power of calling out Volunteer corps to aid in the suppression of riots. In such cases Volunteers can only act as private individuals; they may be sworn in as special constables, but only in the same manner as any other person, and with the same duties and liabilities; but since the passing of the Volunteer Act of 1863 it has never, as I believe, been understood hitherto that Volunteers so sworn in were to be armed with their Government rifles and ammunition, and to be employed, as might then be the case, rather as troops than as special constables. Such an employment of Volunteers seemed to me to be a matter requiring serious consideration, and I therefore thought it most desirable that the views of the Government should be clearly stated upon the point, in respect to which the opinion expressed by the Under Secretary for the Home Department left room for considerable doubt."

He would now state to their Lordships how in his opinion the law as stated by the authorities referred to ought to be applied. The Volunteers could not, as such, be called out, or go out as a body to quell riots or tumults; their services were confined to actual or apprehended invasion, and they were not then to be called out until the Crown had communicated with both Houses of Parliament, or, if Parliament were not sitting, with the Privy Council, and a notification by proclamation. The Volunteers were not released from their duties as citizens except in being exempted from serving in the militia, nor had they lost any of their rights as citizens. Therefore, they might be compelled to act as special constables, or they might, like other citizens, assist in putting down riots, tumults, and felonies, without being so sworn, although, of course, when special constables were being sworn in every man meaning to serve his country would attend to be sworn in specially. They might be armed according to the discretion of the magistrates, or, if acting as citizens, without such authority, according to their own discretion. This must depend on circumstances. In the case of an ordinary riot or tumult the staff would be the proper weapon. If the rioters had weapons and arms, of course the citizens, whether acting as special constables or not, should have like weapons of offence. Volunteers, as such, should never interfere in riots, and, therefore, if acting as special constables or as citizens not sworn in they should not appear in uniform, or assemble or act as a corps, but should as individuals join with other loyal subjects in putting down the riots or tumults. They might use the Government arms in this service to their country. Take the case of a Fenian outbreak; of course, those who opposed them must be armed. Very many of our Volunteers were permitted by their commanders to take their rifles home with them, and, perhaps, that was the safest place for them during a riot or tumult. Clearly they might arm when necessary. Why might they not use the Government arms in their custody? Of course, the general body of arms in store could not be used without the permission of the commander, and this, where necessary, he would be at liberty to grant. There was no law prohibiting this. The subject was doing the duty he is compellable to perform as a loyal subject, and he was entitled to be armed. The King's arms, therefore, were the fitting ones to be employed in the King's service. To seek arms elsewhere and leave the body of the arms open to the attacks of the rioters would be simple folly. But though so armed they ought not and need not be employed as troops, but only as special constables.

THE LORD CHANCELLOR: My Lords, the subject to which my noble and learned Friend has directed your Lordships' attention is one which, under present circumstances, becomes of considerable importance. We have found by recent experience that the public tranquillity and safety may be suddenly endangered, and it may become necessary to take prompt and decisive steps to meet any similar difficulties that may occur, and to put down all disturbers of the public peace with a strong hand. It is most desirable that a magistrate should perfectly well understand upon such an emergency arising what are the powers to which he may have recourse. It is clear that it is unlawful to call out and employ the Volunteers as a military force for the purpose of repressing disturbances of the peace. The Volunteer Act of 1863 enables Her Majesty, in case of an actual or apprehended invasion, to direct the lords-lieutenant of counties to call out the Volunteer corps in their counties for actual military service, and as the Act of Parliament has specified the instances in which the Volunteers may be employed as a military body, it is obvious that by necessary implication every other occasion is altogether excluded. A Volunteer, therefore, in acting at all in the suppression of riots, is exactly in the condition of any other of Her Majesty's subjects. He can act to the extent that they can act, and his obligations are precisely the same as theirs. Now, it is most important that every subject of Her Majesty should understand what are his obligations and duties in the event of any sudden riot or tumult or disturbance taking place. I would, however, infinitely prefer to give your Lordships the law on the subject, and to explain the duty of Her Majesty's subjects on occasions of this kind, on authority much better than my own. In the year 1801 the late Lord Ellenborough, who was then Attorney General, upon a case being laid before him, gave this opinion—

> "In case of sudden riot and disturbance any of Her Majesty's subjects, without the presence of a peace officer of any description, may arm themselves, and of course may use ordinary means of force to suppress such riot and disturbance; and what Her Majesty's subjects may do they also ought to do for the suppression of public tumult when an exigency may require that such means be resorted to."

Now, of course, this obligation becomes more peremptory in cases where the magistrate requires the assistance of any of Her Majesty's subjects in order to put down any disturbance of the peace; and to that Lord Chief Justice Tindal referred, in the charge to which my noble and learned Friend has alluded, and which was delivered to the grand jury upon the Special Commission for the trial of the Bristol rioters. The Lord Chief Justice expressed in the clearest language what was the duty of Her Majesty's subjects on such occasions. He said—and he spoke most emphatically—

> "And here I most distinctly observe that it is not left to the choice or will of the subject (as some have erroneously supposed) to attend or not to the call of the magistrate as he thinks proper, but every man is bound, when called upon, under pain of fine and imprisonment, to yield a ready and implicit obedience to the call of the magistrate, and to do his utmost to assist him to suppress any tumultuous assembly."

The Lord Chief Justice then explains the mode in which the assistance of Her Majesty's subjects were usually demanded in cases of this kind—

> "In later times the course has been for the magistrate, on occasions of actual riot and confusion, to call in the aid of such persons as he thought necessary, and to swear them as special constables; and, in order to prevent any doubt (if doubt could exist) as to his power to command their assistance by way of precaution, the Act 1 & 2 *Will.* IV. c. 41 has invested the magistrate with that power in direct and express terms, when tumult, riot, or felony was only likely to take place, or might reasonably be apprehended."

Now, a Volunteer is not exempt from serving as a special constable. The Yeomanry are exempt, but a Volunteer has no such privilege, and therefore if called on to be sworn in as a special constable, he is bound to obey. Now, my Lords, if I understand my noble and learned Friend (Lord St. Leonards) correctly, he seemed to think that when Volunteers were called out as special constables they were not at liberty to employ any organization which they may have received to enable them to act more efficiently as special constables. If that is my noble and learned Friend's opinion, I beg leave most respectfully to differ from him. I think that, if called out as special constables, they are not to be organized as if acting as Volunteers; but that each may join with others, and take advantage of his previous organization in order to enable him to act more efficiently as a special constable. I apprehend, also, that a Volunteer may, if called out, take his arms with him, just as any other subject of Her Majesty, if he thinks that they are necessary for his protection in the discharge of his duty. Whether when the arms of the Volunteers are collected in one place the local magistrate may order those arms to be distributed among the Volunteers for the purpose of enabling them to assist in putting down riot and tumult, is a matter on which I think it is impossible to lay down any rule. If the riot and tumult are of a dangerous description, I apprehend the magistrate may, on his own responsibility, direct that arms be put in the hands of those special constables. Of course, he must take care that he exercises that discretion with caution and prudence; but if he honestly, faithfully, and firmly exercises his discretion, I apprehend he will be protected by law in placing arms in the hands of special constables where the tumult and riot are of a dangerous description, and it is absolutely necessary that the utmost force should be used. I do not think it necessary that I should enter more fully into the matter; because my right hon. Friend the Secretary for the Home Department, believing that the law on the subject should be clearly laid down, has determined to take the opinion of the Law Officers, with the view of obtaining such instructions for magistrates that, on the general question, no one will have any difficulty in coming to a right conclusion. But still a great deal must be left to the discretion of the magistrate. I am, however, convinced that if the magistrate should show the determination which the occasion may require, and act honestly, fearlessly, and faithfully, he will be protected by the law.

EARL DE GREY AND RIPON must say, after the discussion which had just taken place, that the question was not in a satisfactory position. It had been laid down that local magistrates, on their own responsibility, in certain cases, might not only call on individual Volunteers to serve as special constables, and direct them to be armed as any other sworn constable, but might go further and on their own responsibility have them armed with arms and furnished with ammunition not the property of the Volunteers but the property of the Government. Whether these arms were kept by the Volunteers in their own homes or were all collected at a depôt, they were equally the property of the Government. He must say, too, that he thought the distinction between a body of Volunteers acting as Volunteers, and a body of Volunteers acting as special constables, but armed with Enfield rifles and Government ammunition, was too fine a one. If Volunteers were to be employed to aid in putting down riots and tumult, it would be better that power should be taken to call them out under the Mutiny Act, as had been the case under the old law. If they were called out under the Mutiny Act, we should have them under better discipline. At the same time, he was bound to say he entertained very serious doubts as to the advisability of employing Volunteers for such purposes, except in the same way as all other persons who served as special constables were employed. The employment of Volunteers in civil tumults under any other circumstances seemed to him to require very grave consideration. The other House of Parliament had deliberately decided that they were not to be employed in that way. It was that determination on the part of the House of Commons which had led to the striking out of a particular clause in the Bill of 1863. It appeared to him that it was only in such a case as a general arming of the whole population that the Volunteers should be employed to quell any disturbances; but certainly, the matter was not one which should be left to the discretion of local magistrates.

VISCOUNT HARDINGE said, that great dissatisfaction was felt at the uncertain position of the question. The Volunteer force had been enrolled under the impression that they were never to be called out except in the case of invasion or apprehended invasion; and he doubted whether the Volunteers should be allowed to use their arms on the requisition of a magistrate. When the Volunteer Act passed their Lordships' House, it contained a clause providing that Volunteers, at the discretion, not of the local magistrates, but of the Secretary of State, might be called out in case of tumult; it went down to the House of Commons, but after a sharp discussion there the Under Secretary for War withdrew the clause. Possibly some such arrangement as was then contemplated might now be made; but the question was one that was delicate and difficult to deal with, and it would be much to be regretted if, through the state of the law, any unpopularity attached to the Volunteers. Against the notion that Volunteers were to arm themselves with weapons belonging not to themselves, but to the Queen's Government, and act independently in the case of simple riot, he felt bound to protest. A small party of them might be cut off, the rifles wrested from their hands, and serious consequences might ensue. And there was another point to which it was necessary that attention should be directed. In rural districts Volunteers usually had leave to keep their rifles in their own houses; but in towns, where the arms of three or four battalions were collected together in a magazine, some measures ought to be taken to protect the armouries.

THE EARL OF LONGFORD said, that as many Volunteer officers had expressed to the Government a desire for instructions for their guidance in future emergencies, the Government had directed their attention very seriously to the matter. It was, no doubt, contrary to the spirit of the Volunteer constitution that Volunteers should be called out in a general way to repress disturbances, or that magistrates should think that this force especially was at their disposal to be set in motion on such occasions. There could be no doubt that the same loyal spirit which prompted the Volunteers to place their services at the disposal of the Crown in case of invasion would lead them to act as special constables, under proper guidance and authority, if the magistrates require their services for the preservation of the public peace. Then this point suggested itself. Cases might arise where the Volunteers might be called on to come forward with arms in their hands to repel a public enemy, and there might be public enemies within as well as without, when it would be very desirable that the Volunteers should be called out as an armed body. In framing any instructions it was therefore very difficult to lay down any precise line; but, keeping in view those difficulties which

Volunteer officers had suggested, as well as others which had reached them from other quarters, the War Department had taken counsel with the proper authorities, and the result was that full instructions would be issued with as little delay as possible. The question of armouries being one that was supposed originally to be provided for by the Volunteers themselves, no military arrangements had been undertaken for their preservation; but the point had become one of importance, and with others would receive immediate consideration.

EARL GREY said, that the discussion that had taken place that night had placed the matter in a more satisfactory condition than it was before. He thought it clear that, except under the control of their officers, the Volunteers certainly ought not to come out with Government arms in their hands. It was highly undesirable that Volunteers should be brought into collision with the people; at the same time, circumstances might arise rendering such a course indispensable. For instance, if the 1,400 or 1,500 Fenians at Chester the other day had made an organized attack, thereby levying war upon the Government, the magistrates and officers in command of the troops would have been deserving of censure had they not armed the Volunteers and directed them to act against the insurgents. It was of the utmost importance that the law on the point should be clearly defined, because at present the position of an officer in command of Volunteers in case of a riot would be exceedingly trying and painful. He heard, therefore, with much satisfaction that the Government proposed to take the state of the law into consideration. He hoped when the matter was looked into some effort would be made to define how the Volunteer force might be employed under local authority; and, if they found it to be necessary, he hoped they would not shrink from introducing a short Bill for the amendment of the law.

EARL RUSSELL said, he did not propose to say anything on the law of the case which, no doubt, had been laid down most carefully by the Lord Chancellor. The House of Commons while they provided for the Volunteers being called out in case of invasion, had negatived their being called out in cases of riot and tumult, and it appeared to him that it would be very dangerous to introduce any Bill on the subject which would give further powers for the interference of Volunteers. Their Lordships were all aware that it had been necessary to call out the regular troops in many cases, and he did not remember a single instance in which they had not shown the utmost discretion and acted with the utmost forbearance, although exposed, perhaps, for hours to very trying circumstances. In the case of Volunteers, no doubt influenced by local feeling, or to some extent by party hostility, one could not be certain that they would act in all cases with the same forbearance as regular troops. As a matter of expediency, therefore, he hoped it would not be necessary to alter the law, or to attempt to call out Volunteers in a fashion more dangerous than the employment of regular troops—that was to say, without being under the control of their officers.

THE EARL OF BELMORE said, there was one point in connection with this subject which could not be too clearly borne in mind, and that was the distinction between simple riot and insurrection. In circumstances such as those that had occurred at Wolverhampton the other day, it would be clearly unadvisable to employ the Volunteers; but at Chester, if what was contemplated had been carried into execution it would not have been a simple riot, but a levying of war against the authority of the Queen. In such a case as that, the employment of Volunteers would stand on a very different footing from an ordinary case of riot.

MASTERS AND OPERATIVES BILL.

(*The Lord St. Leonards.*)

(NO. 3.) COMMITTEE.

House in Committee (according to Order.)

LORD CRANWORTH *moved* the omission of the last part of Clause 4, which provided that masters and their workmen might, by mutual consent, be bound before the proposed Court of Conciliation to consent to an increase or decrease of wages for twelve months. This he described as unreasonable and unnecessary.

An Amendment *moved*, to leave out from ("paid") to the End of the Clause.—(*The Lord Cranworth.*)

LORD ST. LEONARDS declined to assent to the Amendment.

On Question, That the words proposed to be left out stand Part of the Clause? their Lordships *divided*: — Contents 1; Not-Contents 9: Majority 8.

Amendment *agreed to.*

CONTENTS.

Saint Leonards, L. [*Teller.*]

NOT-CONTENTS.

Chelmsford, L. (*L. Chancellor.*)
Buckingham and Chandos, D.
Carnarvon, E.
Derby, E.
Devon, E.
Colville of Culross, L. [*Teller.*]
Cranworth, L. [*Teller.*]
Silchester, L. (*E. Longford.*)
Teynham, L.

On the Motion of The LORD CHANCELLOR, the word "Operatives" in the title was altered to "Workmen."

The Report of the Amendments to be received on *Friday* next.

House adjourned at half past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, February 25, 1867.

MINUTES.]—NEW MEMBER SWORN—Frederick Snowden Corrance, esquire, *for* Suffolk (Eastern Division).

SELECT COMMITTEE — On Railway Debenture Holders *nominated.*

PUBLIC BILLS—*Resolutions in Committee*—Representation of the People, Committee *deferred.*

Ordered—Railway Construction Facilities Act (1864) Amendment.*

Second Reading—Criminal Lunatics [11].

Committee — Trades Unions [18]; Marriages (Odessa) * [20].

Report—Trades Unions [18]; Marriages (Odessa)* [20].

SPECIAL JURORS.—QUESTIONS.

MR. WHATMAN said, he wished to ask Mr. Solicitor General, Whether, seeing the frequent inconvenience and loss occasioned to suitors in the Civil Courts by the insufficient attendance of Special Jurors, any steps will be taken either to remedy this or to insure more correctness in the lists returned by the respective parishes?

THE SOLICITOR GENERAL said, in reply, that as far as he was aware there had not been any special inconvenience attending the nomination of special jurors except in London and Middlesex, but in these places both loss and inconvenience had frequently arisen. His own observations showed that, in the great majority of instances, the inconvenience was owing to persons, who ought to know the practice of the courts better, not taking due steps to have the jurors summoned. But, besides that, there was also inconvenience in consequence of the lists not being properly rendered by the overseers, and not being properly revised in the course of the year. As far as regarded London and Middlesex the lists were made out according to an Act of Parliament, 6 *Geo.* IV., and no substantial alteration had been made in the mode of doing so for the last forty years. In the year 1852, when the Common Law Procedure Act was passed, another regulation was made as regarded special jury panels; but owing to the opposition that was given the rule was not made applicable to London and Middlesex. The practice was to have the lists returned in September, and then, after certain applications of exemption were disposed of, the lists remained unchanged for a year. A great deal of the inconvenience arose from persons leaving their residences between the January of one year and the January of another, and persons becoming disqualified from age or on other grounds. He was quite certain, after the Report of the Commission in 1852, it was impossible to deal with the question without taking into consideration all the circumstances of the case, and after due deliberation on the part of those who were familiar with the subject. The subject had not yet been formally brought under the notice of Her Majesty's Government.

MR. OWEN STANLEY said, he wished to know, whether it is the duty of the overseers to tell jurors they are on the lists? Just before the meeting of Parliament he (Mr. Owen Stanley) received a notice in Wales, though he was over age, ordering him to be next day in the Court of Exchequer.

THE SOLICITOR GENERAL said, there was no such duty required on the part of the overseers who made out the lists. Any gentleman who objected to have his name on the lists must go to the petty sessions and have it struck out, otherwise he would be bound to serve.

SERVIA—EVACUATION OF THE FORTRESSES.—QUESTION.

MR. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether Baron Beust, the Minister of Austria, has issued a Circular Diplomatic Note to the Great Powers, stating that Austria had advised the Porte to carry out the evacuation of the Servian Fortresses, being convinced that England and France shared the opinions of Austria on this subject; and whether the English Government have given a favourable reception to that Note; and also, whether the Porte have agreed to evacuate the Fortresses of Servia, and on what terms?

Lord STANLEY: Such a document as that referred to by the hon. Member has been issued; and, as far as Servia is concerned, the Government entirely concurs in its recommendations. As to the latter part of the Question I am not able to give any reply.

JAMAICA—COURTS MARTIAL ON ENSIGN CULLEN AND SURGEON MORRIS.

QUESTION.

Mr. GILPIN said, he wished to ask the Judge Advocate General, Whether the judgment of the Court Martial in the case of Ensign Cullen and Surgeon Morris, on a charge of putting to death two Negroes by shooting them without trial, has been officially received in this country; and, if so, whether it will be laid before the House?

Mr. MOWBRAY said, in reply, that there had been two separate Courts Martial held on Ensign Cullen and Surgeon Morris, one of the charges being applicable to Surgeon Morris only. The trial in the case of Ensign Cullen was very protracted, having lasted from the early part of October to the 4th of December. The proceedings were delivered on the 1st of January at his office, and on the 8th he submitted them to Her Majesty. As regarded Surgeon Morris, the trial commenced on the 11th of December, and had not concluded when the last mail left. It was not usual to lay the proceedings of courts martial upon the table, and until the whole of the proceedings had been completed he could give no further answer.

IRELAND — THE LORD MAYOR'S BANQUET—CARDINAL CULLEN.

QUESTION.

Mr. NEWDEGATE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether the attention of Her Majesty's Ministers has been directed to the report of the proceedings at the inaugural banquet of the Lord Mayor of Dublin on Wednesday last, which is published in *The Times* of Thursday, the 21st instant, whence it appears that Cardinal Cullen was present on the above occasion, in the robes and capacity of a Cardinal Legate from the Court of Rome, took precedence in that capacity, and addressed the assembly on matters touching the Government of Ireland; and whether, assuming the above report to be substantially correct, in the opinion of Her Majesty's Ministers, it is consistent with the Laws of this Country, or with International Law, that an ecclesiastic should, in the capacity of a Cardinal Legate from the Court of Rome, be permitted, as representing that Court, but without being regularly accredited to the Court of England, or recognised in any diplomatic capacity, to interfere on public occasions of an official character, by advice or otherwise, with matters touching the Government of the United Kingdom?

The CHANCELLOR of the EXCHEQUER: Sir, since notice was given of this question I have made inquiry respecting an event which had not before attracted my attention, and I find that the Lord Mayor of Dublin did not consult the Government as to the guests whom he should invite on that occasion. But I have made inquiries, as far as I could, with decent respect to the Lord Mayor, as to the arrangements and the motives which influenced him on the occasion in question. The invitations, which included Cardinal Cullen, had certainly nothing in them of an exclusive character. I really do not know what are the political or religious opinions of the Lord Mayor; but invitations were also extended to the Archbishop of Dublin, who was prevented from attending by some accidental cause in domestic life, to the President of the Presbyterian Assembly, and to many other distinguished members of different denominations, among them the heads of the Wesleyan body. I cannot understand that any precedence was given to Cardinal Cullen otherwise than would be given to him in any society in which he might mix. Besides the Lord Lieutenant, there was no other Peer present, and therefore, according to the rules of social etiquette, Cardinal Cullen, who is recognised as a Roman Prince, took merely the same precedence to which he would be entitled in any assembly in England, public or private. I believe he appeared on that occasion in no diplomatic capacity; indeed, I believe that there is no diplomatic capacity filled by Cardinal Cullen which is recognised, and I am doubtful whether he is really what is called a Cardinal Legate from the Court of

Rome. [Sir George Bowyer: He is not.] I was not quite certain on that point. I have reason to believe that Cardinal Cullen had some local rank given him with reference merely to the hierarchy of his own Church, which would allow him precedence as a Cardinal Archbishop over any other Roman Catholic Archbishop who might be present. It is pretty clear, therefore, that there is no foundation for the assumption of my hon. Friend that Cardinal Cullen acts in any diplomatic capacity in this country, or that he appeared in any diplomatic capacity on that occasion. I must take the liberty—I do not like making long answers, but I am sure the House will allow me some indulgence on this occasion of reminding my hon. Friend that a Cardinal is not necessarily an ecclesiastic. A Cardinal is a Roman Prince, and I have known Roman Princes and Cardinals who were not ecclesiastics. In fact, it is not necessary in any way that he should be an ecclesiastic. I remember a Committee of this House which, I think, was presided over by the late Sir Robert Inglis—of which, at all events, he was the most eminent Member, and that before that Committee, which was considering very delicate questions of religious interest, the late Cardinal Wiseman was summoned; Cardinal Wiseman appeared in the dress which Cardinals are accustomed to wear, and which is their right, and there were several gentlemen on that Committee whose feelings were annoyed. They protested against the appearance of Cardinal Wiseman, not only as a Cardinal, but as being in the dress of a Cardinal. Now, Sir Robert Inglis was an extremely well-informed man, though his opinions were perhaps extreme upon the question of the two Churches, and no man could suppose that he would have shrunk from expressing his opinions. He was also a man of very ceremonious manners, a highly-finished gentleman, and he perfectly well knew what was the social rank of every individual. Well, in that case, he admonished his friends on account of their zeal, which he said was perfectly uncalled for, because Cardinal Wiseman was a Cardinal, and therefore a Roman Prince, acknowledged by the laws and customs of society in this country. Sir Robert Inglis treated him accordingly with the utmost ceremony and attention. Sir, I will not say anything further, beyond expressing this feeling of my own—that I really think it is highly desirable that the Roman Catholic Prelates of Ireland should mix a little more in the world, and enter a little more into society than they have done. I really believe that it would be mutually beneficial to both parties, that it would, to a great extent, terminate asperities for which there is no foundation whatever, and that it would perhaps tend to bring about those improved relations between the followers of the two religions in Ireland which, I think, every sensible man must desire.

INDIA—COOLIE TRADE IN ASSAM.

QUESTION.

Mr. KINNAIRD said, he would beg to ask the Secretary of State for India, If he has any objection to lay upon the table of the House any recent Papers connected with the Coolie trade in Assam, or elsewhere; and, for an explanation of the reasons which induced the Indian Government to appoint a Protector of Coolies in Assam, and how far the result of such a precaution, if necessary, was successful or otherwise?

Viscount CRANBOURNE said, in reply, that an officer had been deputed to inquire into certain cases of cruelty which were said to have occurred on a particular plantation; but it was not yet known how far that appointment had been attended with a beneficial effect.

NAVY—THE "GREENWICH SIXPENCE."

QUESTION.

Mr. TREVELYAN said, he wished to ask the President of the Board of Trade, Whether the survivors of the seamen who paid the sixpence a month, commonly known as the "Greenwich sixpence," which was discontinued in the year 1834, have not a claim on the Hospital on account of that payment; and, if so, what is the extent and nature of that claim?

Sir STAFFORD NORTHCOTE replied that, if the survivors of those seamen who paid the sixpence per month, commonly known as the "Greenwich sixpence," and which was discontinued in 1834, had a claim on the Hospital on account of that payment, it certainly was of a moral and not of a legal character. He could not, however, state the nature or extent of such a claim.

PARLIAMENTARY REFORM.

REPRESENTATION OF THE PEOPLE.

Order for Committee to consider the Act 2 & 3 *Will.* IV. c. 45, read.

THE CHANCELLOR OF THE EXCHEQUER: Mr. Speaker—In rising to move that the House resolve itself into Committee of the Whole House to take into consideration the most important statute of modern times, it might for a moment be supposed that proposition was one condemnatory of the great Act of 1832. I can assure the House, however, that nothing is further from the intentions and from the feelings of Her Majesty's Advisers. What they wish on the present occasion, if they have the opportunity, is to do that more efficiently, and not less sincerely, which they attempted in 1859, and that is to improve and complete the Reform Act. Sir, the men who devised and carried the Reform Act of 1832 were statesmen, and their names will live in history. They encountered a great emergency, and they proved themselves equal to the occasion. A national party, a party which is nothing if it be not national, had by too long a possession of power shrunk into a heartless oligarchy. The Whig party seized the occasion which was before them, and threw the Government of this country into the hands of the middle classes. Never, to my mind, was any political experiment more successful. Never has a country been better governed, to my mind, than England has been during the last thirty years. Never during a like period have the annals of the House of Commons been more resplendent. But, Sir, there was a deficiency in that Act—I will not say an intended deficiency, but one which certainly arose from want of useful information on an important part of a great question; and, perhaps, without any offence to hon. Gentlemen opposite, I might say that omission was perhaps more naturally made by a party which, generally speaking, had built up their policy rather upon Liberal opinions than upon popular rights. The political rights of the working classes which existed before the Act of 1832, and which not only existed but were acknowledged, were on that occasion disregarded and even abolished, and during the whole period that has since elapsed, in consequence of the great vigour that has been given to the Government of this country, and of the multiplicity of subjects of commanding interest that have engaged and engrossed attention, no great inconvenience has been experienced from that cause. Still, during all that time there has been a feeling, sometimes a very painful feeling, that questions have arisen which have been treated in this House without that entire national sympathy which is desirable. Well, Sir, it is our business on this occasion, in the first and most important place, to endeavour to offer some proposition to the House which will restore those rights that were lost in 1832 to the labouring class of the country, and which will bring back again that fair partition of political power which the old Constitution of the country recognised, and which, if practicable, it seems to me that all of us are desirous should be accomplished. There is a very great difference between the period of 1832 and the period of 1867. In the period of 1832 Parliamentary Reform was a subject to fire the imaginations and excite the passions of all men. It was one which banded parties together with a heat and with a power such as very rarely occur. But on the present occasion there is great unanimity on the subject. We who have succeeded to the place which we occupy in the spirit of the Constitution, finding that question unsettled and by universal consent requiring settlement, can appeal with confidence, as I now understand, to the candid interpretation of the House of Commons upon our plans and motives, and can count even on the support, of course the discriminating, but still the not less generous support, of our political rivals.

Sir, with these feelings, I shall endeavour to speak to those Resolutions which I placed only a fortnight ago upon the table of this House. [*For these Resolutions see Contents, February* 11, *and the Appendix.*] It is only a fortnight ago that I asked the House to consider the propriety of permitting Her Majesty's Government to proceed on this subject by way of Resolution, and it was then more than doubtful whether that permission would be conceded. It has been said that the Resolutions placed upon the table are vague, and not intended to lead the House to any practical conclusion. My presence to-day, according to all Parliamentary practice, to give the explanations which the House has a right to expect, is a sufficient answer to that charge. I confess for myself, Sir, that I cannot agree with those who, in attempting to settle great questions, begin by disregarding the importance of principles. It appears to me that it is of great importance, if we are endeavouring to bring about a general understanding in the House upon a subject of great moment, that we should begin by seeing whether there is between us a sympathy on the principles on which that settlement is to be founded. And although I was never less inclined to enter into controversy with the House on any part of the subject before us, yet still, in vindication of the Government, I do not think the period fixed for the consideration of these Resolutions, which form a whole and are connected together, and which at least are the result of reflection and pains—I do not think that the period was unreasonable. Because, what has been the practice under such circumstances? Gentlemen take these Resolutions, and endeavour themselves to see what they lead to and what would be the practical results. They themselves make combinations and applications which fail, and some of which, perhaps, are partially successful; and when they find that the solution of the difficulty is not so easy as they imagine, they come, as it were, into a more practical state of mind, and at the right time they treat Her Majesty's Ministers with more candour, and aid them with more zealous co-operation.

I will first ask the House to consider that portion of the question which is, perhaps, immediately the most interesting, and which has occasioned of late years the most controversy in this House—namely, the state of the borough franchise. In considering this question our anxiety has been to widen, as far as we could, the right of exercising political suffrage; and, while retaining the general character of this House, and while we endeavour to give to the working classes their old share in the formation of Parliament, at the same time not derogating from that variety of character in this House which I believe to be so important, and the main foundation of our influence and authority. We have endeavoured, in considering the question, to see whether we could not improve and increase the suffrage for boroughs, with a due regard to three important qualities—capital, intelligence, and labour. With this view we have resolved to recommend the House to adopt four new franchises in boroughs. These four franchises have no novelty to recommend them or to alarm the House, for I believe they have on several occasions been the subject of our discussions, and in all instances they have experienced a very favourable reception from the House. The first new franchise that we wish to establish would be an educational franchise. In 1859 we introduced a Bill in which we proposed to give the suffrage to the graduates of all Universities, to the members of all the learned professions, to clergymen and ministers of religion, to certificated schoolmasters, and others. I should myself wish to see such a suffrage extended. In the present Resolutions, or in the Bill which, if the Resolutions are sanctioned, it will be my duty to bring in, that franchise would to a certain degree be extended, although not to that degree to which some would wish to see it carried. I believe, however, that under it a considerable number of persons, comparatively speaking, would exercise the franchise who otherwise would not enjoy it. To that point I will advert afterwards. The next new franchise that we wish to establish is a savings bank franchise. That is a franchise which has always been favourably considered, and which has been included in almost every project of Parliamentary Reform of late years, but to which one objection of considerable importance has been urged, and that is, that it is very difficult to establish and register the names of those who would be qualified under it. We hope to be able to lay a plan before the House which will be found easy and practical, and to render that franchise self-adjusting. In that case it will be a very satisfactory and important franchise. We propose that a qualification of £30 in the savings bank, with a retention of it for one year, which is a necessary condition, should be the subject of the second franchise, while the third new franchise that we should propose would be established on public property, so that any person who has £50 in the debt of this country—in the public funds—shall be entitled to a vote. The fourth new franchise is one founded upon the payment of direct taxation. We propose that every person who pays 20*s.* a year direct taxation shall have a vote to elect Members of Parliament. These are the four new franchises that we propose. I will give the House the numbers that the Government believe will register and record their votes under the savings bank franchise—not the numbers that may appear on the first blush qualified to vote under that new franchise, because that would be deceptive. But we believe that under the £30 savings bank qualification in boroughs there will at this moment be 35,000 persons who will register and record their votes. [Sir GEORGE GREY: Having no other qualification?] Yes, having no other qualification. We believe that under the education franchise in boroughs there will be 10,000 persons, and under the funded property qualification there will be 7,000 persons, while the direct taxpayers will not be less than 30,000 persons entitled to vote.

Having stated the new franchises proposed for boroughs, I will ask the House to consider the question of the re-adjustment of the old franchise. The Resolutions which I have placed upon the table are connected together, and I wish to call the attention of the House to the fifth Resolution. What is expressed in the fifth Resolution is the belief of the Government that—

> "The principle of Plurality of Votes if adopted by Parliament would facilitate the settlement of the Borough Franchise on an extensive basis."

I wish to make an observation on that Resolution. In the first place, a very great error has prevailed as to the meaning which the Government associated with this plurality of voting. Our intention was that any person who possessed one of the four new franchises that I have mentioned, if he were an occupier in a borough or if he had a right to vote for a Member of Parliament, should vote, not merely for the occupation qualification, but also for any one other of the new franchises which he might possess. We believe that if that principle were adopted it might have led to results very satisfactory to large numbers of the people of this country; but we are bound to state frankly that this is not a view of the case which, if we are permitted to bring in a Bill, we shall at all insist upon. It seems to us that it is not desirable to make any proposition on these questions which we have not a fair prospect of carrying to a successful issue, and, therefore, although I myself believe that it is a principle well worthy of our consideration, for it involves nothing invidious in its character, applying alike to all classes, yet it is not one which I am now in any way recommending to the House, or announcing that we should act upon it if we had permission to bring in a Bill. It is, however, necessary that I should speak frankly to the House on the subject of the fifth Resolution.

Then, Sir, having been obliged to give up acting upon that Resolution, we had to consider the basis on which, in our opinion, Parliament should fix the borough franchise so far as occupation is concerned. It must be remembered that Parliament has asserted the principle of rating as the basis of our electoral system. It must be remembered also, in offering the general views of the Government on the matter, that we have placed the assertion of that principle among the Resolutions on the table of the House; and therefore I will assume that on that subject there is now no question. We have, then, to fix upon some franchise with regard to the boroughs of which rating shall be the basis; and our object being that we should fix upon an authentic basis—one not nominally of ratepayers, but, as far as possible, really of ratepayers—that we should have some resting point to remain upon, and rating being now, as I hope it will be, accepted as the basis of our whole electoral system, we should recommend the House, having relinquished our fifth Resolution, to adjust the occupation franchise in boroughs upon a £6 rating basis. It now devolves upon me to show to the House what will be the effect upon the number of the constituency of the new franchises which we have proposed, and of the re-adjustment of the occupation franchise in boroughs which I have just mentioned. I must again remind the House that the numbers which I place before them are the numbers which Her Majesty's Government believe will really be added to the roll. We make all due allowance for those who do not register, and all due deductions for other classes, in respect of which I will not now weary the House. But we believe that with a £6 rating franchise, the number qualified being, I think, 203,000, there would be new voters to the number of 140,000. But we must make a deduction of 10,000 from that, because probably that proportion may be already qualified as electors. Therefore, we place the number of new voters under a £6 franchise in boroughs at 130,000. We place the savings bank voters at 35,000; we place the direct taxation voters at 30,000; the funded property qualification voters at 7,000; and the educational franchise voters at 10,000; making altogether 212,000, which is the number that, in our opinion, will practically be added to the constituency of the boroughs. It will now be my duty to call the attention of the House to what we propose with respect to the county franchise. We propose, in the first place, to extend to the counties the four new sub-franchises which I have already mentioned; and the effect of this upon the counties will be to add to the constituency by direct taxation 52,000, by funded property 13,000, by the educational franchise 15,000, and by the savings bank qualification 25,000 voters. I must here remark, both with reference to the county and the borough franchise which depends on the savings banks, that all these estimates are made upon the old savings banks. There is no Return yet of the Post Office savings banks; but of course in time, if that national institution advances and prospers, it will have a very sensible effect upon this matter. Extending, then, to the counties those four new franchises, we propose to reduce the occupation franchise in counties to £20. [Mr. GLADSTONE: Will that also be founded upon rating?] It will be founded upon rating. This will add, after all deductions, to the occupiers having votes in counties, 82,500. The whole of the increase to the constituency of the country, in round numbers, will be 400,000.

The House will now permit me to advert to one of the Resolutions, not strictly in the order in which it is placed on the paper, but on which it would be more convenient for the general management of this subject that I should at once touch; and that is the Resolution to which an Amendment has been given notice of—namely, No. 9—which declares—

> "That it is expedient that provision should be made for the better prevention of Bribery and Corruption at Elections."

Sir, I have heard that in dealing with this subject we have only ourselves to blame, because we thoughtlessly, and, perhaps, incautiously, supported an hon. Baronet, a Member of this House, in the last Session of Parliament, in a Resolution which we must now find very inconvenient to us. [An hon. MEMBER: Hear, hear!] Sir, I can only say to those who have made that observation, and to the hon. Gentleman who cheers it, that they are under a very great mistake. After what happened, not only before that Resolution was passed, but after what has occurred subsequently and recently in this country, I think that any Ministry, of whatever party it might be formed, would not be doing its duty to its Sovereign and its country if it did not attempt vigorously to grapple with this question of bribery and corruption. And, Sir, we have given to it our anxious attention, and are perfectly prepared to act upon the conclusions at which we have arrived. This is not the occasion upon which it would, I am sure, be agreeable to the House to enter into minute details on such a subject; but I may, perhaps, advert to one or two of the principal conclusions to which we have come, and which we shall recommend the House to adopt in regard to it. In the first place, it is our opinion—and we hope that we may induce the House to agree with that opinion—that after an election, if the decision within two months is challenged, either by the candidate who was defeated or by the electors, he or they shall be empowered to serve the returning officer with their protest; that when that protest has been received the returning officer shall communicate it to the proper authorities—the Clerk at the table, for example, Mr. Speaker, or it may be the Lord Chief Justice of the Court of Common Pleas; and that then these authorities should have the power immediately to authorize the despatch of two assessors to the spot, to hold their court and conduct their examination at the locality, and there decide upon the question at issue. Of course, these assessors are not to be sent—that protest is not to be acted upon, unless the persons making it enter into their recognizances to bear the necessary expenses of the investigation. And as we are unwilling in any way to diminish the jurisdiction of this House, or to take its real business from out of its bosom, in case we give an appeal from the decision of the assessors, we propose that it should be given in this way—that the person decided against may make his appeal to this House, and that this House may, if it thinks fit, appoint a Select Committee to investigate the question. ["No, no!"] The decision of the assessors will remain fifteen days on the table. If it is not questioned it will be acted upon; if it is questioned, the person who questions it and makes the appeal must, of course, again enter into his recognizances to bear the necessary expenses, and it will be open to the House, if it thinks proper, to act upon that appeal. The next conclusion upon this matter which we shall recommend the House to adopt is to declare that, when a candidate has been convicted of bribery, the other candidate whose conduct is proved to have been pure, although he may have been in a minority, shall be returned to this House. Sir, these are two important recommendations to which, from a desire not to weary the House, I have done very imperfect justice; because, of course, all these regulations are very much matters of detail; but I hope that I have succeeded in conveying to the House the general results at which we have arrived. We believe that their consequences will be very considerable upon the conduct of the constituencies, and also of the Members of this House. [An hon. MEMBER: What about the punishment?] I would rather decline to enter at the present moment into the subject of punishments, and prefer to leave it till this branch of the question is more specifically before the House. I hope, although this is a subject involving very great difficulty, that we may be able to arrive at certain conditions by which inveterately corrupt boroughs shall after a certain time, and after the fulfilment of those conditions, by their own conduct lose, as a matter of course, the power of returning Members to Parliament. If the Resolutions are passed, and it should fall to our lot to bring in a Bill, we shall be perfectly ready to act upon this question of corruption by introducing clauses to carry these propositions, or propositions of an analogous character, into effect. But it will be for the House to decide whether they shall be adopted. I cannot conceal from the House that this is a subject which must lead to prolonged controversy, and as it is no doubt their desire that a Bill affecting the representation of the people in Parliament should be carried, I will not say with precipitation, but, at least, without any unnecessary delay, it will be for them to decide whether it is to be dealt with in that or in a separate measure. I can assure the House that the Government are prepared to fulfil, not only in the letter, but in the spirit, the engagements which were entered into on this question last Session, and to which they themselves were a party. If the House should be of opinion that it would encumber the Franchise and Distribution Bill or the other subjects which must necessarily enter into a measure of Parliamentary Reform too much to couple with them this matter, all I can say is that I will personally undertake to bring in a separate Bill dealing with it on the very same night, so that the passing of the Franchise and Distribution Bill would be disembarrassed of the delay which might otherwise take place.

The subject on which I have just treated leads me to the consideration of those venal boroughs which have of late so much engaged the painful attention of the country. It is the opinion of the Government that no delay should occur in enabling the House to decide on the position of those boroughs, and that is a very relevant part of the task which if these Resolutions pass we are prepared to undertake. The boroughs to which I refer are Great Yarmouth, returning two Members; Lancaster, returning two Members; Totnes, returning two Members; and Reigate, returning one Member, to Parliament. The Government have given to this part of the question anxious and painful consideration, and they think that it is their duty to recommend the disfranchisement of the whole of those boroughs, and to transfer the seven seats thus rendered vacant to towns which have risen into importance since the passing of the Reform Bill of 1832. Those seven seats would not, of course, meet all the fair claims to the distinction of being represented in this House which might be urged; but on that subject, notwithstanding the communications which I have had made to me, the Government have been guided by the principles and feelings which are expressed in the 7th and 8th Resolutions. We have, in fact, in considering the question of distribution, entirely been influenced by the consideration of enfranchisement and not disfranchisement. We are alive to the great difficulty, and even the great danger, of rashly, recklessly, and thoughtlessly interfering with the representative system of a society so old, so complicated, and now so vast and various as that of the British Empire. We are unwilling to disturb any centre of representation, our main consideration being that in the revision of our electoral system which must necessarily be periodical, however distant, from one another the periods—we should confine ourselves, as far as we possibly can, to giving representation to those places which ought to be, and are not represented, duly maintaining at the same time that balance between the various interests in this House which, I believe, the majority of us are anxious to preserve. We have anxiously examined all the claims for representation which can upon any reasonable ground be advanced by the several communities which have risen into importance since 1832, and we have naturally, in coming to a decision upon the subject, been influenced by a triple consideration—in a great degree by population, by the distinctive interests of that population, and lastly, by locality. We are desirous, as far as we can, to maintain the distribution of representation over the country, because we feel that unequal distribution must lead to discontent. We have endeavoured to provide that each distinctive interest in towns should be fairly represented, and the towns which, after the most anxious and careful investigation, we will, if the Resolutions should pass and we have the opportunity, recommend to Parliament to enfranchise are Hartlepool, Darlington, Burnley, Staleybridge, St. Helen's, Dewsbury, Barnsley, and Middlesborough. I stop at the next, and the House will, I trust, not ask me to mention its name. We wish to give a Member to what is called the "Black Country." In our own Bill of 1859, as well as in the Bill of the late Government, a provision of that kind was introduced. To reconcile a rating basis and a mining population is, however, a difficult task. So many and such contradictory representations from different localities have been made to me, and I have been asked so anxiously and upon such good grounds not to precipitate the determination of the Government on this point, that I am sure the House, always anxious for fair play, will allow me to describe the town to which I am now adverting as one in the Black Country. The remaining towns which we propose to enfranchise are Croydon, Gravesend, and Torquay. The House will perceive that the North of England—and that very properly—has a very large share in this appropriation, and we think it extremely desirable that if there are towns of sufficient importance in the South their claims to representation should also be acknowledged. We look, therefore, upon the enfranchisement of Croydon, Gravesend, and Torquay, as only fair and just. Before I leave the question of boroughs I will mention that it is the intention of the Government, if they should have the opportunity, to recommend to Parliament to divide the Tower Hamlets, and give to each division two Members. In so doing it will, of course, be necessary to provide that its boundaries should not be allowed to remain exactly as they were left by the Act of 1832, but that they should be adapted to the requirements of the present population; and it seems to us extremely desirable that communities so populous and extensive should be made the basis of an increased representation. By these means fourteen Members will be given to boroughs.

I now come to another part of the important subject of distribution. The House has acknowledged that the counties in England are inadequately represented. No one, I may add, has acknowledged that to be the case more explicitly than Earl Russell himself. I remember it was from this very place that he did me the honour of stating that in one of his numerous Reform Bills he had given increased representation to the counties in consequence of the remarks which I had offered on the subject. The result, too, of our deliberations year after year, has, I think, convinced the House and the country that it is important the counties should receive a more adequate representation than they now possess. We are about greatly to increase the representation of towns, and we must bear in mind that in doing so we must diminish in a considerable degree the representative power of some of the smaller boroughs, which are generally supposed to furnish an indirect compensation to the counties for their entirely inadequate representation. What we propose, therefore, is that we should take certain counties and divide them, giving in each case a constituency composed, irrespective of the boroughs, of a pure county population, numbering 100,000, to the new Members thus created. The counties to the division of which we mean to ask the assent of the House are North Lancashire, North Lincolnshire, West Kent, East Surrey, Middlesex, South Staffordshire, and South Devon. We shall, if these proposals are adopted, have fourteen new Members for counties, and fourteen for boroughs, while the number of seats with which we intend to ask the House to deal is thirty. How twenty-eight of these are to be appropriated I have just explained; the remaining two we would dispose of as follows:—We propose to carry out a scheme which was offered to the consideration of the House in 1859, and which, though the measure in which it was embraced was not passed, received the entire approval of the House. I allude to our proposal to divide South Lancashire, as well as to give a Member to Birkenhead. Although that proposal was not then carried into effect, the vacancy created in certain seats two or three years afterwards furnished the House with an opportunity of re-considering the matter; and so irresistible were the claims of Birkenhead found to be—those of South Lancashire being also very great—that a compromise was made by giving a Member to Birkenhead and an additional Member to South Lancashire. We propose that

South Lancashire should be divided, and this will make twenty-nine Members. We also propose that the House should recognise the claims of the London University.

I have now explained the distribution of seats proposed by the Government. Fourteen Members are given to boroughs, and I earnestly hope and fervently believe that Parliament will never have any cause to regret the transference of the franchise to the new boroughs. Notwithstanding all that has taken place, I believe that the real opinion of this country is opposed to the practice of bribery at elections, and I believe, too, that these communities will repudiate such practices. I expect with confidence that their Members, on whatever side they may sit, will add to the honour and utility of this House. There are, according to the list I have read, fifteen Members given to the counties, and they, no doubt, must be, considering their constituencies, men of very great importance. The presumption, therefore, is that they will add to the strength and reputation of the House of Commons. I may remark that in proposing the division of Middlesex we are proposing a plan which will at last give more peculiar representation to Kensington, Chelsea, Hammersmith, and the populous districts in those neighbourhoods. Therefore, to the claims both of the West and East of London, which are at present most inadequately or not at all represented, the plan of the Government will afford some satisfaction. We can only carry this plan into effect by availing ourselves of the seven seats justly forfeited in the opinion of the whole House and the country, and by appealing to the patriotism and public spirit of some of the smaller boroughs in the country. The principle of this plan—a principle which I trust will always be adopted in this House—is never wholly to disfranchise, except on account of corruption, and those boroughs, therefore, to which I now allude will still remain Parliamentary boroughs; and we shall still have the pleasure of listening in this House to the hon. Members who represent them. I will not trouble the House with the names of these boroughs. [*Cries of* "Name!"] Their names are on the table, and when I state the principle on which the Government propose to appeal to them to curtail their superfluous representation, every hon. Member will then have it in his power to ascertain what boroughs they are. [*Cries of* "Name!"] That is not in the Resolutions, and to the Resolutions I mean strictly to confine myself. All boroughs under a population of 7,000 will be asked, in all courtesy, by this House to spare one of their Members. These are in number twenty-three, which, added to the seven forfeited seats, show how the plans of the Government can be carried into effect.

It now becomes my duty to call the attention of the House to other important Resolutions, which, if sanctioned by the House, will materially affect the question of corruption, because they tend to terminate the expenditure on a great scale in county elections. If the House will agree to the three Resolutions which refer to the registration of county voters, to the manner in which the voters shall be polled, and to the mode by which voters at a distance may record their votes, the Government will introduce a series of provisions in their Bill which will, I may say without exaggeration, entirely put an end to the vast expenditure now incurred in county elections. If you combine these three Resolutions with the provisions, such as I have already indicated, of our Bill against corruption, and with the course which we recommend Parliament to take in reference to those boroughs whose conduct has recently been under the painful scrutiny of the country, I think you will agree that a great blow will be dealt against bribery and corruption in the election of Members to Parliament, which will afford a hope to the country that those evils may possibly in time be entirely suppressed. Therefore, I have great confidence that the House will pass those Resolutions; and I undertake, on the part of the Government, that if they are passed we will bring forward a series of practical proposals which will be easy of adoption and beneficial in operation. The registration of county voters will then be assimilated to the principle on which the registration of borough voters is placed. The polling places will be increased. I will not say that every parish will be a polling place, because there may be some parishes with no voters; but we would have polling places so frequent, and polling districts so limited, that county elections might be carried on so economically that it would be utterly impossible to incur the vast expenditure which even now occurs. If the Resolution with respect to voting papers be adopted by Parliament, we have reason to believe that that system may be acted on with beneficial effects, and thus there will be an end of the immense abuses arising out of bringing up voters from an immense distance at a fabulous cost.

I know not that I have omitted noticing any Resolution before the House except the last, on which it is almost unnecessary for me to make any observation, because I have already on a previous occasion referred to it. I will only say that I have learnt that there exists some misapprehension of the remarks I made with respect to a Commission for settling the boundaries of boroughs. I am told that it was understood from what I said that freeholders in boroughs should no longer vote for counties. No such idea ever occurred to my mind. There is not in the Bill which I hope to introduce any attempt to disfranchise any voter. We respect the Resolution which the House arrived at on a previous occasion, whatever my private opinion may be, and I always expressed it frankly, to the effect that every man should vote where his qualification is. I am, however, satisfied to submit to the decision of the House, and all I urged on the House was to consider the question of defining the boundaries between boroughs in a just and fair manner. The House will observe that on this head we recommend the issue of a Royal Commission. If these Resolutions pass, and we are authorized to bring in a Bill, it is our intention that the Royal Commission should issue immediately, and at once proceed to act, whereas if the Commission were made a Parliamentary Commission, and if it were bound up with the Bill, the Commission could not act until the passing of the Bill.

I have now fulfilled my task. I told hon. Members who made inquiries since the time when the Resolutions were laid on the table that I had taken a note of them, and that at the proper time I would explain to the House the application which the Government recommend should be given to the principles expressed in the Resolutions. I trust that the House will candidly consider the observations I have made. It will be our duty on the passing of the Resolutions to introduce a Bill, and I think that its provisions are such as will on the whole satisfy public opinion and the requirements of the case. It will add something like one-third to the constituency, and cause a considerable addition to the number of voters belonging to the working classes. I hope, therefore, it will be fairly considered that they have resumed their ancient position in the Parliamentary scheme of this country. At any rate, Her Majesty's Government have brought forward, I will not call it an honest Bill, because that epithet has been used so often of late that it might lead to angry recrimination. But they have brought forward a sincere Bill, which they are prepared to carry. Moderate it may be in spirit, but essentially practical, and which I earnestly hope will be backed by the good feeling of an united people. I move, Sir, that you do now leave the chair.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Chancellor of the Exchequer.*)

MR. LOWE: Sir, the right hon. Gentleman has concluded his speech by telling us that the Government has brought in a Bill. If that statement were accurate I would not have troubled the House with a single remark on this occasion; but it is just because the speech of the Chancellor of the Exchequer does not conclude by asking for leave to bring in a Bill, but asks the House to go into Committee on Resolutions, that I feel bound to trespass upon its attention. I am not so presumptuous as to offer any criticism off-hand on the measure which the Chancellor of the Exchequer has laid before us, nor have I the slightest objection to the speech in which he has introduced the Resolutions. I think it however my duty, as an independent Member of Parliament, to call the attention of the House very seriously and very earnestly to the position in which we find ourselves placed, both with regard to the Government and with regard to the constitutional practice of the House, in reference to the course which we are now asked to adopt. There may be circumstances connected with party which would make it difficult for other Members of more weight than myself to make these observations; but being, at the present moment, independent of party, though I hope not for long, I can speak what I think, and what ought to be said, but will not be said, unless by some outcast like myself. Now, Sir, I wish to speak with all good humour of the Chancellor of the Exchequer, but unfortunately, in order to explain fully what I mean, I am compelled to do a somewhat ungracious thing, to take a little retrospect of his conduct during the past fortnight. This day fortnight he made a speech of two hours and a quarter long in which—unlike his speech of one hour and a quarter to-night, which told us everything—he told us nothing. I listened to it, as I believe we all did, with the utmost attention, and the only two things which I could derive from it were that he was exceedingly anxious to sharpen the difference between town and country, and to make the House understand, that come what might—notwithstanding any measure they might introduce—it was absolutely absurd to think that the Government could go out upon a Reform Bill. These two things I clearly understood, but as to the rest, really I could understand nothing, neither why the Resolutions were brought in, what they were, nor what they were to do. Sir, the right hon. Gentleman did not so much as allude to that Resolution, which, if I am not mistaken, is destined to play the most important part in the whole list —namely, the one which refers to plurality of voting. Nor did he mention voting papers. Indeed, so inveterate was his reticence that he would not even place the Resolutions before us by the usual notice, but left us for twelve hours, until the newspapers came out in the morning, in perfect ignorance of their terms. The effect of that has been unfortunate, because an opportunity has been lost of putting the House in possession of the wishes and opinions of the Government, and we have spent a whole fortnight, which ought to have been devoted to the consideration of the plan of the Government, in puzzling our brains to try and find out what the plan is, and I believe that the Government themselves have been engaged in pretty much the same operation. I say all this breeds delay, because it is impossible that we can go into Committee to-night and debate the plan of the Government which has been only just explained. Indeed, I maintain that the plan of the Government, clearly and ably stated, as it has been by the Chancellor of the Exchequer, is really not before the House at this moment. It is like a balloon in the air. We are not in contact with it. The Resolutions of the Government have no more to do with the plan of the Government than Squire Thornhill's three famous postulates had to do with the argument he had with Moses Primrose, when, in order to controvert the right of the clergy to tithes, he laid down the principles that a whole is greater than its part, that whatever is is, and that three angles of a triangle are equal to two right angles. This delay is much to be regretted, because I believe the House is really in earnest and wishes to come to the consideration of the question of Reform; so that I am justified in saying that it was very unfortunate that the past fortnight should have been wasted. I must say also that it appears to me that it is very much the fault of the right hon. Gentleman. In the first place, we had a speech which told us nothing; then we had Resolutions which told us little more than nothing; then we had the reasons (which came afterwards, instead of before) given by the Chancellor of the Exchequer, why Resolutions were proposed instead of a Bill. I certainly myself could not conceive why they should have been proposed. We know why the Indian Resolutions were proposed. It was to found a Bill. They were precise and accurate —the heads of the Bill which was afterwards brought in, and in fact, after they were proposed and adopted there was little more to do than to clothe them in the technical language of an Act of Parliament. For instance, the first Resolution said that a Secretary of State should be appointed, and that all the power then held by the Board of Control, the Court of Directors, and the Court of Proprietors should be transferred to him. That was something like a Resolution. It was so drawn that it could be made into a clause of an Act of Parliament. If the right hon. Gentleman had put his Resolutions on the present occasion in that way, although I am not partial to the mode of proceeding by Resolution, I should have thought it captious to have objected to them. But the Resolutions which he has now moved are mere hungry and empty abstractions, which give us no definite idea whatever. They are simply abstract propositions, which can neither be said to be true nor false, and only derive meaning when applied to the details of the thing with which we have to deal, which is not abstract, but concrete. We are not accustomed in England to the discussion of mere general principles which a philosophical mind may extract from the details of a measure, but what we ought to have before us is some real and definite scheme. So this House has proceeded for centuries past. In this case, so far from that, I assert that the Resolutions which the House is asked to discuss do not in the least involve the matters which the right hon. Gentleman has opened to us to-night; and, if we pass them all, do not commit us to one statement he has made. If the Resolutions were made use of to conclude or to exclude something, or to mark out the limits of the Bill, I could understand them, but they really do nothing of the sort; they neither conclude nor exclude anything, and, if they did, they would be still open to this objection, why not do so by a Bill? I have no secrets to tell, because I know none; but it is perfectly notorious that there have been changes of opinion in the Government within the last fortnight on this question of Reform, and it is equally notorious that whatever difficulty the Members of the Government found in reconciling their differences of opinion, they never found any at all in making them fit into the frame of these Resolutions. They really are no framework at all, but an elastic band, which will hold whatever you choose to put into it. The first Resolution enunciates the general principle of the extension of the franchise. What trifling is this when the right hon. Gentleman has told us this evening that he proposed a £6 rating franchise for boroughs and a £20 for counties, with other collateral franchises. Why, Sir, if he had brought in a Bill with that provision it would have got rid at once of the first four Resolutions. The first four Resolutions do not help us to those proposals, yet the proposals are said to depend on the four Resolutions. The first Resolution states that the number of voters should be increased; the second, that the qualification should be reduced, and collateral franchises provided; the third, that no class shall predominate over the rest—no doubt the right hon. Gentleman will argue that such is the effect—and the fourth declares that the basis shall be rating. They tell us nothing, they prove nothing, they do nothing, whether we pass them or leave them. He might have struck the whole four out of the list, for they are all included in the single proposition of a £6 rating franchise. The right hon. Gentleman makes a statement of one set of things, over which statement the House has no jurisdiction, and then asks the House to vote upon another state of things. The right hon. Gentleman said, on Friday night, that he was going, in pursuance of the practice of Parliament, to explain the intentions of the Government with reference to the Resolutions submitted to the House. I should like to know where he finds such a practice of Parliament. Parliament, whatever faults it has, at all events has maintained its character as a business-like assembly. But is it business-like to introduce a number of abstract propositions, withholding the concrete scheme, and to ask Parliament to waste its time in the discussion of abstract theses almost too general to be submitted to boys in a debating society. I maintain that there is no precedent whatever for such an extraordinary course as that which has been taken. I racked my brains to find out the reason why it was taken, and I could find no other than the *disciplina arcani*, which affords a convenient method for the development of any particular doctrine that happens to be wanted. The right hon. Gentleman, in answer to a question from the noble Lord the Member for Huntingdonshire (Lord Robert Montagu), took us into his confidence, and told us why he introduced the Resolutions, and the reason is so incredible that I could hardly trust myself to state it to the House if I had not the words in my pocket to refer to. The right hon. Gentleman, in effect, said that both Whigs and Tories had tried their hands at Reform, and had failed. Therefore, said the right hon. Gentleman, the argument is irresistible that no Government hereafter ought to be turned out on the question of Reform; and he drew the collateral inference which tended to the same conclusion, that no party spirit ought to exist upon this question, but that it should be put aside altogether. Having advanced so far he went a step further, and his Parliamentary experience suggested to him that the way in which the Government was likely to be defeated on Reform was by means of abstract Resolutions, because on a former occasion some evil-minded person had moved an abstract Resolution and had defeated a Government upon it. Therefore his mode of reasoning was, if we do not move abstract Resolutions others will; and, to prevent their turning us out by them, we will take all the abstract Resolutions we can think of upon the subject and move them. This is actually the precise reason the right hon. Gentleman has given to the House for introducing these Resolutions. It was that he might bind over the House to keep the peace. We were to enter into recognizances towards the Government not to move any abstract Resolutions at all to torment them. The right hon. Gentleman is a much better tactician than I am;

but I doubt most extremely whether this was a sound way of proceeding. The House will remember the fairy tale of the princess, of whom it was foretold that she should be killed by some sharp instrument. The King banished from the court all the sharp instruments he could think of; but fate would be accomplished, and the princess was killed by the sharp point of a spindle. So, Sir, if it be the will of the House of Commons to turn out any Government, and to perform the operation by the way of abstract Resolutions, it is not thirteen, or even thirty, which would exhaust the possible number. Human ingenuity would be found equal to the task of framing yet one more for the purpose of effecting the object. But, Sir, I would ask, is it because Whigs and Tories have alike failed to carry a Reform Bill, that the right hon. Gentleman and his Colleagues are to enjoy absolute immunity against the consequences of failure? What right have they to petition to have the mark of Cain set upon them, that nobody should kill them? I confess that I should have thought just the contrary—I should have thought that the very fact that men upon both sides had tried and failed—though no reason against future trials—yet ought to operate as a reason why you should not relax the penalty which awaits such an attempt. Surely if Governments with majorities, and Governments with minorities, have alike tried and have alike failed, the House ought not therefore to relax the Parliamentary safeguard it possesses—the power of holding the Ministry responsible for failure, the proper check on rash and ill-considered undertakings. If men undertake such a task, who have not the strength or the union to carry it through, I think we should not unduly endeavour to discourage them; but I can imagine nothing more unreasonable, in a matter of such grave importance, than to relax those safeguards which are of the highest possible value to us and to our posterity, relating to a question which ought to be entered on with the greatest deliberation, and with all the calmness, wisdom, experience, and moderation that can be given to it. As to divesting ourselves of party spirit—if we can so divest ourselves while considering this question, why not get rid of it altogether? But, Sir, party spirit is inherent in the minds of public men. Therefore the wise men who framed our Constitution said—with that true practical English instinct which would not assume that men are not actuated by the motives which do actuate them—We will take human nature as we find it, and as we find the evil existing we will neutralize it by opposing party spirit to party spirit. Thus it is that we have the party spirit of the Government met by the party spirit of the Opposition, and we find that by the collision of both, ideas are struck out which benefit the public interests. It is the best safeguard we have; and I should think that nothing was so undesirable as that it should be removed. So far, therefore, from the argument of the right hon. Gentleman carrying conviction to my mind, it has had precisely the contrary effect; and I think that we are bound, especially in this instance, to adhere to the safeguards which exist.

Look at the constitutional relation existing between the House and the Executive Government. It was only the happy obstinacy of William III. which prevented the Executive Government from being altogether excluded from the House; but on the terms upon which it has remained its presence has been most beneficial: it has received support from us, and we from it. What was the condition upon which the Executive remained? On the condition in which alone it could remain consistently with its duty. It was that the Members of the Government should be as responsible for its acts as if they had not seats in the House; that their duties should not be absorbed in their duties as Members of Parliament; that they should owe one duty to Parliament as Members of the House, and another duty to it as Members of the Executive Government; that while the Parliament on the one hand has the power directly or indirectly to make or unmake the Government, on the other hand it should not use its power in order to coerce its liberty. If the Government is to continue responsible, it must continue free. What is it that the right hon. Gentleman now proposes? With "candied courtesy" he addressed the House in language which, as the 658th part of it, I was a little ashamed to hear, and he said—If the House will only take us into its counsels and co-operate with us in this measure, we shall receive with cordiality, with deference, nay, with gratitude, any suggestions you like. In other words the right hon. Gentleman said: "Say what you like, do what you like, but for God's sake leave us our places." I think that, pathetic as may be the tones of the entreaty, the supplication addressed to the House by the right hon. Gentleman ought not to be granted. I think we ought to hold the Government to that responsibility which all Governments undertake who bring in great measures of organic change in the Constitution. The right hon. Gentleman proposes that we should go into Committee with the distinct understanding that the Government should not be responsible for anything which is to be proposed; but that every man should be left to move any Amendment without the hand of his party leader upon him to restrain him, and that we should put the Constitution into a kind of alembic, and take the chance of what comes out of it. I say, Sir, that that is a wild, dangerous, and unconstitutional course. It puts me in mind of what happened to the children of Israel when they were desired to throw all their gold, jewellery, and ornaments into the fire. There came out—what? A calf. Now, Sir, permit me to say a word for myself and some other Members of this House. We bore rather hard upon the right hon. Gentleman the Member for South Lancashire last year; and here, before I go any further, let me make an apology which it is due I should make to the House. Some time ago I wrote a letter to *The Times* in reply to a correspondent, in which, trusting too much to my memory, I stated that the right hon. Gentleman (Mr. Gladstone) had made an apology in this House for something that he had said with regard to some words of mine, which have been much discussed and censured. I am sorry to say that I made a mistake in that letter. If you refer to the 125th page of the right hon. Gentleman's public speeches, you will see that there was an apology for another matter, not for the one to which I referred. I can only say now that I am very sorry for it, and I hope that the right hon. Gentleman will accept this expression of my regret. There is no place where it can be better offered than here. Well, Sir, I was about to say that we bore rather hard upon the right hon. Gentleman. We said that he treated us with reserve; but I must say that his reserve was openness itself as compared with the miserable instalments of information furnished us by the Chancellor of the Exchequer. The right hon. Gentleman never gave us the slightest information upon any part of his plan when he was repeatedly asked to do so, and he asks us now whether we will accept a plan to which the Government is neither pledged nor bound in any way. It is quite competent to the right hon. Gentleman to come down to this House to-morrow, and to say that the Government has changed its mind; that it is not pledged to anything in the shape of a Bill, and to leave the House with these Resolutions absolutely *in vacuo.* I need not point out that his speech is made in relation to nothing before us, save what we have in these abstract Resolutions, abstract Resolutions which may be taken or left without reference to the speech. I therefore beg most earnestly to press on the House the extreme inexpediency of going on with them. What possible good purpose can they serve? If we vote them all in a lump, what can we do except disgrace ourselves? Is it creditable to be fighting things of this kind? I am not going to waste time and criticism upon them. Some of them are ambiguous, and susceptible of two or three meanings, some of them mere abstractions. They do not furnish any foundation for a Bill, they are not instructions for a Bill, and the framers of a Bill will not be in the least assisted by them. The Bill itself, when it is introduced, must stand on its own merits, not on theirs, nor will the right hon. Gentleman and his Colleagues be in any way preserved by them. On the contrary, I believe that they will prove a trap for him, and whether that was the intention or not, their introduction will prove a fruitful source of delay, for it will be altogether out of his power to prevent any Member of this House from moving Amendments or substantive Resolutions as often as they like upon them, when in Committee. If it be the will of the House we may waste weeks or months in Committee. On the other hand, we shall have a Government, duly installed in office, renouncing its responsibility. Sir, I think this is one of the most dangerous positions possible. It is the duty of the Executive Government to give advice to this House, to initiate its business, and to decide on what propositions shall be brought forward on important public occasions. It is the business of the House to decide on the acts of the Executive Government, and, if it does not approve them, to censure them. If the House allows itself to be induced to take a consultative position—if it begins a measure which Government ought to begin, and allows itself to be asked questions and to give its views to the Government, the House will be taking away the responsibility of the Executive Government. By so doing it will expose itself to the unpopularity, and will embark upon the path which has been fatal to so many legislative assemblies. Never, in the history of the world, was there known a legislative assembly with such powers as the House of Commons that has had the moderation to confine itself within its own legitimate functions and to abstain from using, or rather abusing, its powers to coerce the Executive. When we abandon that safe course of moderation which has been handed down to us by our forefathers, we are in a fair way of transforming this great legislative instrument into something like a convention, and reducing the Executive Government into the station of clerks who fulfil our orders, instead of, as they now do, guiding and leading us, forming the connecting link between the Sovereign on the one side, and the public of this country on the other. The consideration of these Resolutions in Committee is absolutely useless and worthless. I defy anyone to suggest any useful purpose which it may serve; but it may do incalculable mischief by setting the whole thing adrift, so that no man can tell where it will stop. I do not want to take any course hostile to the Government, who I trust will meet the House half way. I am in hopes that they will see that there is reason in what I say, and that they will withdraw these Resolutions and undertake to bring in a Bill. We have to-night heard a statement which would be a sufficient preface to the introduction of a Bill. Nothing is needed but its reduction into clauses. The consideration of these Resolutions would be an exercitation which would be most discreditable to the House of Commons, and most prejudicial to the interests of the public. We have much legislative business in arrear, and we ought not to waste time upon empty propositions, many of which do not at all apply to the measure. I therefore earnestly press upon the Government the propriety of re-considering the question. I shall refuse my assent to your leaving the Chair, if it be only to record my protest against the encroachment upon most valuable Parliamentary usages and traditions, to which we owe it that we have in this House been able to discharge both Executive and legislative functions without injury and indignity to either.

I might conclude here, but, encouraged by the kindness of the House, I am anxious to say one word for myself upon this question of Reform. The House is well acquainted with the position that I have taken up. I consider that the burden of proof is on those who attack our existing institutions, and that I am bound to hold to what exists until something better is shown. That was, is, and always will be, my opinion; but I believe that I am nearly solitary in entertaining it. I have never been able to persuade anybody to adopt the process that I have recommended:—"Examine our institutions, see what is wrong, and then amend it." I have never been favoured with any answer. The recommendation has been simply ignored, and the reply seems to be, "How can you say that a Reform Bill is not wanted when I have one ready drawn up in my pocket?" All I can say is that I am not going to weary the House any more by defending the ground that I have unsuccessfully maintained; and I desire in the future to be regarded as ready to go heartily and honestly into any proposition for Reform that is laid before us, and to do anything that I can to make it an efficient and useful measure. I say this in order that it may not be thought that, in what I am about to add, I am acting in a spirit of hostility towards any measure that may be proposed. But I do think that the position which we now occupy is a most unsatisfactory one. You see what the Government have proposed. They ask us to go into Committee upon the Resolutions, but no one can see what may come out of that Committee. It was said, at the time of the old Reform Bill, that we were within twenty-four hours of a revolution. I believe that we have been within much fewer hours than that of household suffrage. I am not going to argue the question; but I, in common with a great many other Members of this House, hold household suffrage in very considerable dread. It was for that reason that I most unwillingly opposed the Bill introduced by the Government last year; because I believe that any resting-place that you suggest between the present franchise and household suffrage will be a very temporary abode. It seems to have been carried in this House, not by argument, but by acclamation, that we are not to remain as we are, but to commence that course which leads direct to disaster. It reminds me of what may frequently be witnessed upon the Alps. You see before you a snow slope, down which you are invited to slide, to which you reply, "No, I should like to go as far only as that rock, and then I will dig in my pole a little deeper, and will pull up." You try the experiment, and you find that you turn head over heels and go headlong to the bottom. That is a homely illustration of my views and of those of many Members of this House. To those who are satisfied with household suffrage, or to those who think that they will find a resting-place in a £5, £6, or £7 franchise, I have, of course, nothing to say; but of those who, like me, are convinced that the first is ruinous and the second impossible, I earnestly beg that they will re-consider the whole question. Time will be required for the preparation of the Government measure. That time will not be thrown away if it is employed in a little examination of the principles of Reform. It appears to me that the principle of a fancy franchise is of itself a bad one, because I understand by it an arbitrary connection between two things which have no necessary connection with each other. When you fix upon an incident, like that of a man being an M.A., or of his having a house of a particular value, or anything of that kind, upon which to found the franchise, you put together two things that have no necessary connection with each other. Such a view is a most imperfect one, and does not and cannot exhaust the question. What I desire is that we should go a little deeper into the question, and try if we cannot find some better principle than that. If we are to invent new machinery for determining who shall have a share in the full office of citizen, and in deciding upon the government of the State by appointing its governors, it seems to me that we ought to consider not a man's property, his status, or such things as that, but his relations towards the State, the full citizenship of which he claims. The principle you ought to seek to establish should be drawn from his performing his full duties towards the State. I therefore hold that, if we were going into the thing anew, the proper foundation of a Parliamentary franchise would be the bearing of all State burdens. Instead of fastening upon some particular incident, you should look at the man in reference to the State whose welfare you intrust to him. It seems to me that a man so poor that he is excused on the ground of poverty from bearing any burdens due to the State, though entitled to the rights of a citizen, is not in a condition to impose burdens upon others, because he is imposing upon others burdens from which he himself is on the ground of poverty excused. I think, further, that the franchise should not attach to any particular kind of property, because that is a clumsy way of getting at classes. It is an awkward thing to give a vote because a man has a house of a certain value; and then because a man is an M.A. We ought to have some principle that will take in those above the line of £10 as well as those below. It is right that the *élite* of the working classes should be admitted to the franchise. That is all that was professed to be done by the Bill of last year, though the words of my right hon. Friend were rather wide, and I am not aware that more is proposed this year. It is a great omission in the Bill of the Government that they do not deal with the important question of lodgers. If universal suffrage finds its way into this country it will be through the lodger franchise if neglected. You will go on lowering the franchise for houses until there comes to be a great disparity between tenants and lodgers, and then the lodgers will get it removed; and as everyone is either a householder or a lodger, unless like Diogenes he lives in a tub, or sleeps under the dry arches of Waterloo Bridge, you will get a very low franchise indeed. This is a matter that calls most imperiously for arrangement. How are all these things to be reconciled? It seems to me in a very simple manner. If you retain the existing constituencies in boroughs, and add to them all payers of income tax, you will go a great way to do what I want, by giving a gradual and safe extension of the power of voting, and if you consider the income tax too high you may lower it. Look at the advantages you would gain. You would include the upper classes who are now without the franchise. I lately received a letter from a correspondent who told me of three managers of public companies in a county town who received salaries of £1,000 a year each, but not one of whom had a vote. You would settle the lodger question in the most satisfactory manner. You would admit a great number of the working classes—certainly the *élite*—because £2 a week is by no means high wages for a skilled artizan. Therefore, if we were arguing this question in the Republic of Plato, instead of in free Romuli, I should have great hopes of this proposal, and that not only for what it does, but for what it does not do. It does not, under the form and pretence of admitting persons to a voice in the Constitution, give them all the power in the State. It does not, while speaking of the *élite* of the working classes, hand over power to the poor in a body. And it would have this safeguard, that such a payment of income tax, being not something different from the franchise, but being the franchise itself, could not be separated from it; and further, that the franchise being attached to a burden, the tendency to lowering is corrected, because as you lower the franchise the burden becomes more onerous, and therefore, instead of always having a tendency towards enlargement—towards universal suffrage—the income tax franchise carries with it its own check. I do not, under the circumstances of the case, expect that anyone will pay any attention to this opinion; but I am bound to say that, if not right in itself, it is a specimen of the direction in which we ought to look for the extension of the franchise. There may be some other plan which persons who are better informed than I am can devise for carrying out the idea; but it is in the direction of the public burdens, rather than of rent or rating, that we should look for the enlargement of the franchise. I hope that, anxious as the House is for the settlement of this question, they will not think it necessary to act in a spirit either of panic or precipitation. Nothing of the kind is needed. There was never less excuse for such feelings. The meetings that have been held throughout the country have died away and left scarcely an echo behind. Though organized at considerable expense, and supported by the most unsparing misrepresentation and abuse—they have failed to take hold of the mind of the nation. As for the "metropolitan demonstrations," they have demonstrated nothing except the impotence and vanity of their authors. It is not by men decked with ribands or bedizened with scarves that the foundations of ancient monarchies are shaken. I believe that the mind of the public at large, of the educated public, of the possessors of property, is singularly well disposed towards settling this question. The agitators who go about the country preaching manhood suffrage, nothing that we can do, or that any set of reasonable beings can do, will satisfy; but the great mass of the country would, I believe, be satisfied very easily indeed. Let us, then, give up this miserable auction —this competition between two parties which can bid the lowest, at which the country is put up for sale and knocked down to the person who can produce the readiest and swiftest measure for its destruction. We have this matter still in our own hands. Let us bid a long adieu to shams and pretences. Let us deal with the matter frankly. Let us call upon the Government to withdraw their Resolutions, to introduce a Bill, and to bring the matter to an issue fairly and plainly in the old English fashion, and deal with it in our own downright way. There is no danger—there is every safety in such a proceeding. But there is enormous danger in throwing the question loose before the House. Every Member will be urged by his constituency, and we shall be hounded on by a portion of the press, who will point out one Member after another who seems to hang back in the race for bringing down the institutions of this country as speedily as possible to the level of democracy. Therefore, I appeal to you to act boldly and decidedly. Touch the nettle with timid hand it stings you, and you drop it; grasp it firmly you are unhurt, and tear it up by the roots.

MR. BRIGHT: I am sorry that the right hon. Gentleman who has just spoken has not taken some definite mode of bringing the proposal he has made to the decision of the House; because I think there never was a proposal made to this House —I speak of his observations on the abandonment of the Resolutions—that more entirely agreed with the almost universal feeling. I am not speaking of what is thought on this side only I speak also of what is thought on the other side of the House. I do not believe among the ranks opposite me there is a single Member of the Treasury Bench who really believes that the course that has been taken by the Government is a wise one, or one that ought to be persisted in. Hon. Gentlemen show it in their faces. They feel beyond all question that their principal Minister in this House has led them into a very ludicrous position—and not them only, but that there is great danger of his leading the House also into it. His speech, which we have heard to-night, and which is so definite, shows how much easier it is to make a speech which says something than a speech which says nothing. The right hon. Gentleman took two hours to say nothing a fortnight ago, and one hour to-night to say a great deal. If the latter had been delivered a fortnight ago, during the whole of this time we should have had an opportunity of fairly canvassing the proposals of the Government. The right hon. Gentleman (Mr. Lowe) was doubtless correct in his assumption that probably up to Saturday last the right hon. Gentleman (the Chancellor of the Exchequer) and his Colleagues had not decided what to propose. They come forward now with a statement which clearly makes the Resolutions out of place. The officers of the Government to whom these things are generally intrusted put every single proposal of the right hon. Gentleman's speech into a Bill, in correct language, so as to be laid on the table this day week. I say, therefore, with the right hon. Gentleman below me, to go into a discussion on the Resolutions is merely a waste of time. But to go into a discussion of them with a view of treating them as we were invited to treat them a fortnight ago would be much more than a waste of time, for it would be to throw this question of Reform, which, after all, is a question of some seriousness, into a Parliamentary chaos, and at the same time it would depreciate, to an immeasurable degree, the character and the power in future time of the Executive Government in this House. The right hon. Gentleman a fortnight ago flattered us by telling us how superior we are to certain legislative assemblies in other countries, and he referred, amongst others, to the one which sits at Washington. Now, I undertake to say that there has been no proposal made to this House, during the four-and-twenty years I have been here, which has tended so much to Americanise the House of Commons—the chief legislative Assembly of this country—as the proposal which the Government has made to-night. What takes place at Washington? Mr. Seward, Mr. Stanton, and other eminent men, heads of departments under the President, do not make their appearance in the House of Representatives, or even in the Senate. These two Assemblies discuss any measures they like; they pass any measures they like, and it is not necessary that they should consult the President or his Ministers. So here. Ministers are to sit on that Bench, and, as a newspaper which has lately been doing its best to lash the Colleagues of the right hon. Gentleman into some obedience to his views, says, the right hon. Gentleman is to stand at the counter in a decorous garb, as if he were in Swan and Edgar's, and ask whether there is "anything more, gentlemen, you would like?" I say, then, that the advice of the right hon. Gentleman the Member for Calne ought to be taken. The Government should withdraw these Resolutions, which will serve only to waste our time and to embarrass the question; and then they ought to bring in a distinct and definite Bill this day week, and submit it, manfully, to discussion and the decision of Parliament, as was done, by the right hon. Gentleman who sits on these Benches, last year. What becomes of all your arguments against the right hon. Gentleman? Was it not one of your first arguments that the plan he submitted to the House was crude and ill-adjusted? But was there ever anything submitted to this House before, by any Minister of the Crown, so ludicrously crude as the proposal which the right hon. Gentleman has submitted by the Resolutions which are on the table? Did not nearly every speaker I see before me, either of his own invention, or, what is more likely, following the lead of somebody now on the Treasury Bench, say last year that the measure introduced by the right hon. Gentleman the Member for South Lancashire was fragmentary to the last degree; and that it would be quite out of the question for Parliament to decide what should be done till they saw everything? Did not the noble Lord the Member for King's Lynn (Lord Stanley) make a speech which Gentlemen opposite, having great credulity, believed to be unanswerable. But, unanswerable or not, it amounted to this:—that Parliament would not agree to a certain thing, at the invitation of a Minister, till they saw precisely that which the House would be likely to agree to in regard to some other proposal affecting the general question. Hon Gentlemen opposite must find themselves in a curious position. You have been kept in the dark, we are told, until half past two to-day. What was told you at half past two is, of course, not publicly known. But you have heard to-night from the speech of the right hon. Gentleman what are the proposals he is willing to make to the House, if the House will pass a certain number of Resolutions which have really almost nothing to do with the proposals he wishes us hereafter to discuss. The right hon. Gentleman (Mr. Lowe) has made some reference to the sketch of a Bill which the right hon. Gentleman (the Chancellor of the Exchequer) has shadowed forth. Not knowing what the House will do with regard to the Resolutions, whether we shall go into Committee on them or not, I shall take the liberty, on this first occasion, of saying a few words with regard to the proposed measure. Let me ask the House what it is that is wanted by the country, or, if the right hon. Gentleman the Member for Calne takes objection to the phrase, I will modify it so far as to say, by those who ask Parliament to grant some considerable measure of franchise extension? It is notorious to every man—the right hon. Gentleman himself will not deny it—that meetings have been held at which many hundreds of thousands of persons—I speak of the aggregate—have attended, and it is known to every man living in the districts in which those meetings were held, that the universal sympathy of the working classes went with the persons present at them. What have they asked? They ask the House of Commons that the barrier, which was put up in 1832, shall be thrown down—some that it shall be thrown down to let in the bulk of those who are disfranchised, so that they may come in; whilst multitudes of others ask that it shall be carried so far only that a large portion, such as would sensibly affect the representation, shall be admitted. The Bill introduced by the Government last year proposed, at an extravagant computation, which no man can prove to have been true, to admit about 204,000 persons to the franchise. These would have been admitted by the abolition of the ratepaying clauses in the Reform Act as it stands, and by having no ratepaying clauses for the new voters of values from £7 to £10; and the right hon. Gentleman the Member for South Lancashire assumed that the entire number of new voters would be 204,000. Now, what is it the coming Bill proposes to do? Instead of a £7 rental, it proposes a £6 rating qualification, which will vary according to the system prevailing in different boroughs. In some, possibly, there may be a few persons to whom it would be about the same as a £7 or £7 10*s.* rental; but it will vary from £7 to £10, and I will undertake to say it would not be equal for all the boroughs of England to an £8 rental franchise. The right hon. Gentleman argues that that would admit 130,000, and he proposes other franchises, of which I will say no more now than that, generally speaking, persons who are investors in the funds, or who pay direct taxes, or are investors in savings banks, or who possess education such as is supposed in his scheme, must have votes at present. The right hon. Gentleman's computation is framed, like his computation of 1859, upon nothing better than the loosest guessing; and I do not think it is worthy the consideration of the House, in a question of reducing the franchise and admitting the working classes to vote. He said he took it that the House had decided the question of rating last Session, and therefore he chose a rating franchise. He knows perfectly well it is not the best franchise; but it served to destroy the last Bill, and to overthrow the Government. It served a Minister who now preaches a total absence of all party spirit, and he proposes that we should accept the rating franchise as a thing settled definitely by Parliament. But why, when he came to the county franchise, did not he accept the vote come to last Session relative to the county franchise? This House, after a debate and a division upon an Amendment, moved by the right hon. Gentleman the Member for Cambridge University (Mr. Walpole), decided in favour of a £14 qualification for the counties. Why has not the right hon. Gentleman the liberality and the manliness to accept an accidental, if you choose to call it so, but certainly a deliberate vote of the House of Commons, which was favourable to the extension of the franchise in the counties, when he accepts one that was unfavourable to its extension in the boroughs? The right hon. Gentleman proposes to enfranchise 130,000 new voters in the boroughs, and 82,000 in the counties; he extends to the counties those most childish qualifications of a £30 savings bank investment, a £50 investment in the funds, and the payment of 20*s.* direct taxation. Why, under this Bill, a ratcatcher who keeps four dogs would pay a direct tax to the amount of 20*s.*, and, of course, would come into that new constituency, which the right hon. Gentleman says is to save this country from destruction. I ask the House, whether they believe that the project of the right hon. Gentleman, putting out of consideration the distribution of seats, will settle, or do anything to settle, the question of the franchise? The right hon. Gentleman assumes that the House is almost unanimous for something, and is willing to accept and pass a Reform Bill. But, there may be a great and substantial difference, a perilous difference, between a Reform Bill and Reform. I tell the House, in all honesty, for I never use subterfuge in speaking on this question, that if you permit your Minister to go so far, unsettling what now exists and settling nothing, you permit him to do whatever mischief may lurk in his proposal; and, if you will not let him go further if he were so disposed, you cripple him from doing an act which I will venture to say that twenty years hence every man of you who may be living will rejoice that there were Ministers at this day to do. Have you not read what has been in the public papers during the last six months? Have you not heard or read what has been said at public meetings of every kind? There have been more than 1,000 public meetings; at every one, the doors were open, and any man could come in, whatever his opinions, and the all but unanimous vote of these meetings has been in favour of something much larger and more complete than the plan of the right hon. Gentleman. There has not been, so far as I know, during the whole of that time a single real public meeting which has asked for, or even hinted that it would like, a proposal like that which the right hon. Gentleman has submitted to the House. I am appealing to hon. Members opposite in their new position. You are not anti-Reformers now. I believe the season of transformation is almost over at the theatres; but it appears to extend so long and so far as this in the House of Commons. Last Session there was no language too violent for you to use against the moderate proposals of the then Government, and you will have now to get up and to unsay all you said, and to try to say the exact opposite in support of the present Government. But I will not quarrel with you for that; you have as much right to change your opinions as the right hon. Member for Calne (Mr. Lowe) has to change his. His speech to-night—though he may quarrel with me for saying so—is a wiser speech than any I heard him make last Session; and if he advances and improves at the pace at which he is evidently travelling, I have no doubt that, before this question is settled, we shall have something very lucid from him in favour of a substantial Parliamentary Reform. But hon. Gentlemen opposite have become Reformers. The right hon. Gentleman the Member for Huntingdon (General Peel) is a Reformer now, and I will not charge him with wearing a mask. Eight or nine years ago, when the present Chancellor of the Exchequer came down in the same office to the opening of Parliament, he had two Colleagues by him (Mr. Walpole and Mr. Henley), and at the end of a fortnight or three weeks, when the Reform Bill was introduced, those Colleagues retreated to the back Bench, and one of them told the House that during that period he had worn a mask and was tired of it, and he wished us to believe it was a very unpleasant process. The right hon. Member for Huntingdon, the noble Lord the Member for Stamford (Viscount Cranbourne), the President of the Board of Trade (Sir Stafford Northcote) are not wearing masks. They have cast off the musty habiliments of last year, now come before us as Reformers, and hon. Gentlemen opposite have agreed to follow them. If I use words of ridicule on that change of opinion, do not for a moment believe that I regret it. I am very glad you are Reformers; what is more, you will be glad of it too hereafter; and your children, when they look back on the records of this Parliament, will judge you the more favourably as the more honestly, generously, and completely you do the work which now apparently you are permitting Ministers to try to do. Last Session I took the liberty of telling hon. Gentlemen opposite that though they got rid of that Bill and of the Government, they would not get rid of the question of Reform, and that they would have to settle that with the great people of the United Kingdom; and now they come down to Parliament and are trying to settle it. Do not try to settle it in a hocus-pocus fashion, which many in this House would agree to without reference to persons outside. Persons outside know that this House is not in favour of any far-reaching or complete measure of Reform; and if it had not been for the great pressure outside, neither the present Government, nor that which lost office last Session, nor any which has existed for the last fifteen years, would have undertaken such a great and dangerous question. But if it be such a question, why will you not attempt at least to step so far forward as that we can meet the views and the honest sympathies and desires of the most intelligent and resolved portion of that great body of the people which is now excluded? If you tinker this little Bill, if you stick to this £6 rating franchise, you touch the lips but leave the palate dry. The great body of the people will repudiate the measure; and I venture to say that in the very first Session of Parliament which is held after the elections under the Bill, you will have further propositions made to the House, certainly with respect to the franchise, and I believe also with respect to the distribution of seats. The right hon. Gentleman (the Chancellor of the Exchequer) some years ago, just before he was Leader of your party, made a remarkable speech on another question, in which he showed how very awkward and almost impossible it was for a Member of this House, in office, to undertake to carry great questions, to which, when in Opposition, he had been constantly opposed. I will give you a quotation from the speech he then made, which shows what the right hon. Gentleman might now have said if he had been sitting on these Benches. It was on the subject of the endowment of Maynooth, for which Sir Robert Peel had introduced a Bill. He (the right hon. Gentleman opposite) opposed the Bill on account of the men by whom it was brought forward. He said—

> "I do not think that the Gentlemen who are now seated on the Treasury Bench are morally entitled to bring such a measure forward. This measure, Sir, involves a principle, against which the right hon. Gentleman and most of his Colleagues have all along signally struggled. When I recall to mind all the speeches and all the Motions, and all the votes which have emanated from the present occupants of the Treasury Bench on this and analogous questions. . . . I consider that it would be worse than useless to dwell at any length upon the circumstances which induce me to adopt this opinion. And are we to be told that because those men who took the course to which I have referred have crossed the floor of this House and have abandoned, with their former seats, their former professions, are we to be told that these men's measures and actions are to remain uncriticised and unopposed, because they tell us to look to the merits of their measures, and forget themselves and their former protestations? . . . I appeal to the noble Lord opposite (Lord John Russell), the hereditary Leader of the Whig party, he will, I am sure, not withhold his concurrence with the principles I have laid down. That noble Lord, the representative of Mr. Fox, will not gainsay the motto of that great Leader, 'men not measures,' and I would ask hon. Gentlemen on this side, how has the opposite system answered for them? You have permitted men to gain power, and enter place, and then carry measures exactly the reverse to those which they professed in Opposition, and carry those measures by the very means and machinery by which they conducted the Opposition and by which they gained power. You are reconciled to this procedure by being persuaded that by carrying measures which you disapprove of and they pretend to disrelish, they are making what they call 'the best bargain' for you. Here is a Minister who habitually brings forward as his own measures those very schemes and proposals to which, when in Opposition, he always avowed himself a bitter and determined opponent. . . . But let me ask the admirers of 'the best bargain' system how they think the right hon. Gentleman would have acted had they been introduced by the noble Lord opposite."—[3 *Hansard*, lxxix. 561.]

I might say, by the right hon. Gentleman (Mr. Gladstone) who sits there. Now, do not let it be supposed that if hon. Gentlemen opposite are anxious to carry a real, substantial, conclusive, and satisfactory Bill, if they are ready to support such a measure, do not let them suppose for a moment that because I am not of their party, or because they have opposed all the propositions made upon this subject, and those which I have been concerned with in particular, I shall factiously oppose their Bill. But, having now turned round and become Reformers, having concluded at half past two to-day that they would allow the right hon. Gentleman to appear in a new character as a Reformer in this House, I ask them for their own sake and for his sake, and for what is worth infinitely more than their reputation, or his official position, I ask them for the interest of this great cause, and for the satisfaction of an excited and anxious people, that this measure, if it is to be passed this Session, shall be one at least which shall release me, and every other man who is in favour of Reform, from any further discussion and agitation of the question during our Parliamentary lives.

MR. WALPOLE: Sir, the last words of the hon. Gentleman who has just sat down furnish to my mind the very strongest argument in favour of the proceeding to which he objects. He taunts my right hon. Friend the Chancellor of the Exchequer with reference to a speech of his on a former occasion, as if that speech shows that in the proposal he is now making he is retracting the opinions he formerly professed. According to the argument of the hon. Member my right hon. Friend has only just become a Reformer. But the hon. Member knows perfectly well that in the year 1859 my right hon. Friend proposed a measure to this House for the extension of the franchise which, with regard to the savings banks, with regard to education, with regard to funded property and direct taxation was, in effect, the same as the measure now before the House. What is the use, then, of digging out quotations from *Hansard* which have really no relevancy to the question before us? But the hon. Gentleman says he desires a settlement of this question. How, I would ask, can he have that except by proceeding in such a manner as will enable the House to come to an agreement on the subject? The hon. Gentleman further, objecting to our mode of proceeding, says that we on this side opposed the Bill of the late Government because it was a crude and fragmentary measure. We did object to it as a crude and fragmentary measure. It related only to one part of the subject—the suffrage. It was crude and fragmentary in that. It did not touch the question of re-distribution. It was crude and fragmentary in that. It did not touch the question of corrupt practices at elections. The same objection applies. But the Resolutions now before the House embrace all these points. Instead of being crude and fragmentary they constitute a large and comprehensive measure, and one which I firmly believe, if the proceedings now suggested by the Government are carried into effect, will be more likely to lead to a settlement of this question than any proposal which, during the last fifteen years, has been brought before the House. My right hon. Friend the Member for Calne, followed by the hon. Member for Birmingham, take great exception to proceeding by Resolutions; and they both invite the Government to withdraw these Resolutions. My belief is that it would be an utter mistake to withdraw the Resolutions; and I think there are reasons, and cogent reasons, why we should endeavour to do what we can towards that which my right hon. Friend the Chancellor of the Exchequer so strongly, as well as so fairly and so frankly, urged upon us—namely, the complete settlement of this question. There are two things which are of immense importance. The one is, that after all the discussion this subject has undergone we should come to a satisfactory, and, if possible, a conclusive settlement, in the present Session. The other is—not as my right hon. Friend the Member for Calne seems to intimate—that the Government should abandon all responsibility in the matter, but that they should, by a series of Resolutions laid before the House, enable the House to co-operate with them in eliminating those points upon which we are agreed, and to pronounce its opinion upon those subjects which it has been thought necessary to introduce into a measure of Reform. We shall thus be, for the first time, furnished with starting points for the settlement of the question. For what has happened? We have had six different Bills on the subject within a period of fifteen years. We have had Bills rejected without having ever come to a conclusion on any one point, except that of the rating qualification in boroughs. [An hon. MEMBER: And the county franchise.] Yes, and the county franchise. These are the only points on which you have come to a conclusion after fifteen years of discussion. Now, if you are desirous of arriving at a settlement of the question, every Resolution which you pass embodying a principle will form a good foundation on which to proceed hereafter. You may bring in Bill after Bill, and yet be as far as ever from the attainment of your object. But again, my right hon. Friend the Member for Calne seems to think that the Government are going to abandon their Executive functions in dealing with this subject, and are not prepared to stand or fall on the principles which they deem to be necessary with a view to its solution. Now, no such language as that ever escaped the lips of my right hon. Friend the Chancellor of the Exchequer. The Government will stand or fall on those principles which they believe to be vital and just, and therefore essential to the proper working of the Constitution. If that be so, is it of no advantage that hon. Members on both sides of the House should have an opportunity of discussing, in detail, the principles upon which it is proposed to legislate? Is to afford them that opportunity an unfair way to treat the House, or does it not rather put them in the fullest possession of the whole subject? This consideration furnishes the second reason why I think it desirable to proceed by Resolution. A third, which ought, it seems to me, to have great weight with hon. Members is this—that if we were to proceed in the first instance by way of Bill, there would not be that facility for bringing forward the various views entertained on this question by hon. Members which, in Committee of the Whole House when discussing the Resolutions, will be afforded. In my opinion Parliament will gain a great advantage by forcing the course which we propose [for adoption on those who advocate one set of measures within the House and another out of doors. We have heard of demonstrations and public meetings throughout the country, some of which have been attended by the hon. Member for Birmingham (Mr. Bright), whose avowed object was not to support any measure which he has proposed here, but one which went far beyond any such scheme. He assumed to himself the merit of being a Reformer in the spirit of the men by whom those meetings were convened; but he will not venture within these walls to submit to our notice proposals which they regard as the only ones calculated to effect a permanent settlement of the question. We have in the House of Commons at the present moment more than two parties. We have those who hold Conservative opinions. We have those more moderate Liberals, usually designated as the old Whig party. We have the philosophical Reformers. We have what are called the advanced Liberals. Between the two former parties the difference which exists is slight, both with regard to the franchise and the re-distribution of seats. A liberal measure acceptable to one would be also to the other. When, however, we come to the philosophical Reformers, and the advanced Liberals, as represented by the hon. Member for Westminster (Mr. Stuart Mill), and the hon. Member for Birmingham, it will be seen they will have no fair opportunity of laying their views on this subject before us, unless it be in Committee of the Whole House. The former could hardly introduce his opinions in a Bill. It is true we know the opinions which are entertained by the hon. Member for Birmingham with respect to the re-distribution of seats from that memorable schedule which he drew up in conjunction with the hon. Member for Edinburgh; but then I should like to have his propositions before us in the shape of a Resolution, so that we might see whether his scheme or ours will turn out to be the more in accordance with the feelings of the House. The same remarks apply to the question of the reduction of the franchise. Instead, therefore, of our having adopted a course of proceeding calculated to impede the settlement of this question, or to prevent hon. Members from laying their views before us, I cannot help thinking that had those been our objects they would have been more completely secured if instead of Resolutions we had introduced a Bill. My right hon. Friend the Member for Calne touched on certain principles upon which in his opinion we ought to proceed; but the principles which he lays down are those, I would remind him, on which our proposals are based—namely, that taxation and representation should go together. The hon. Member for Birmingham says that the Bill of last year did away with the ratepaying clauses, but one of the main objections to the measure was that it proposed to enable those who did not pay to govern; while we contend that the franchise ought to be given to those who do pay, in order that taxation and representation might go together. I forbear from entering on the present occasion into a full discussion of the Resolutions of the Government, because they are not distinctly before the House. I venture to say, however, that in principle our measure meets the requirements of the case. It is rooted in well-known principles, principles which are a part of the Constitution, and are therefore likely to last. It embodies in its provisions a large and free extension of the franchise; but while it does that it embraces those Conservative elements that will ensure permanence and prosperity to the Constitution and the country.

MR. LAING said, that in the re-distribution scheme of last Session it was proposed to take forty-nine seats in all from the smaller boroughs, and to assign seven of them to Scotland. He wished to know how the present Government proposed to deal with that country with respect to those seven seats. He did not speak as an advocate of Scotch interests, when he said that the necessity for Scotland obtaining every one of those seats was based on principles of justice and expediency, if a reform of the representation were to be attempted at all. The Chancellor of the Exchequer had informed them that in accordance with his scheme twenty-three seats would be taken from the small boroughs in England, in addition to which he would have seven others at his disposal, in consequence of the very proper disfranchisement of four boroughs on account of bribery. The whole of those seats, he added, were to be devoted to increasing the representation of English counties and towns; but he made no mention of the important question how the increased representation of Scotland was to be secured. He should like to know from him, under those circumstances, whether he meant to add seven to the total number of Members in that House, or, if not, in what manner he intended to meet the just claims of Scotland. Did he propose, for instance, that while English counties, with a population of 150,000, should be made up to three Members, Scotch counties with 300,000 should remain with a single Member? Was it seriously proposed that a Member was to be given to the London University, while the Universities of Scotland were to remain without having representatives allotted to them? But the complaint he made as a representative of Scotland was of minor importance, compared with that which he made as a representative of the United Kingdom — namely, that there was a general want of finality in the scheme proposed by the Government. In his opinion, finality should be made the cardinal point in any scheme of Reform, and acting upon that belief he had, on one occasion, during the last Session, given his vote against the party with which he generally acted, on the ground that the Government scheme did not include re-distribution, and was therefore not final. The great danger consisted, not so much in a large and liberal reduction of the franchise, as in the prevalence of the idea that the Constitution required perpetual tinkering and patching up. The Government scheme of last year proposed to take away forty-nine Members from the small boroughs, and to deprive all small boroughs, with a population under 8,000, having two Members, of their second Member, whereas by the present scheme only twenty-two Members were to be taken from them, and it was only from boroughs with a population of under 7,000 that the second Member was to be taken away. If they were to make a great and comprehensive settlement of the question of Reform, they could not reasonably expect the country to be satisfied with any scheme of re-distribution which left a second Member to any borough with a less population than that of 10,000. In addition to this, there ought to be some grouping of small boroughs. He did not say that the system of grouping proposed last year was perfect. No measure of Reform could be said to be a final solution of the question which left two Members to Chippenham or Bridgnorth with a population of 7,000, while large and important cities, the centres of the great branches of national industry, like Dundee or Merthyr Tydvil, had only a single Member. The same objection that applied to the re-distribution part of the Government scheme equally attached to that portion of it which related to the lowering of the franchise. He felt that there was much force in the observation of the right hon. Member for Calne that if the £10 franchise were once departed from, household suffrage would inevitably be forced upon the country. He had therefore hoped that the present Government would have adopted at once a household rating franchise, coupled with certain tempering provisions calculated to prevent the ascendancy of mere numbers, instead of endeavouring to stop at the half-way-house of a £6 rating franchise. It was evident to him, from the speech of the right hon. Gentleman the Chancellor of the Exchequer, that some such proposal was not far from being one which he, unshackled and free to produce what he thought the best scheme, would have laid before the House on this occasion; for he told the House very distinctly that he thought the system, not of plurality, which would obviously be invidious, but of duality, might have been adopted with great public advantage; that as the Government represented persons and property, so, in respect of persons, every man who lived in a rated house ought to have a vote, while in respect of property, every man who paid by direct taxes to the State should have a vote; and that if the two qualifications happened to be united in the same head, he should have a double vote. If a large and comprehensive scheme based upon household rating suffrage, coupled with reasonable checks, had been brought forward by a Conservative Government and supported by the Conservative party, it might have been accepted even by very advanced Liberal Members as a fair solution of this question. If the only difference between the Bill of the present Session and that of last year was a £6 rating against a £7 occupation franchise in boroughs, and a £20 rating against a £14 occupation franchise in counties, he was afraid the country might ask why the House of Commons had not come to some settlement of this long-vexed question last year, instead of forcing the Ministry to resign, and of exposing the country to long-continued agitation. Without committing himself to any expression of opinion as to the course it might be thought proper to adopt, after due deliberation, with regard to these proposals, he must express his strong opinion that the scheme in respect of the re-distribution of seats was glaringly imperfect, and could not stand; and, with respect to the franchise, the opposite principle to that proposed would have been the wiser and more Conservative solution of the question.

MR. GLADSTONE: Sir, I do not propose to go over the controversial portion of the ground occupied during this debate, and occupied in common by my right hon. Friend the Member for Calne or my hon. Friend the Member for Birmingham; but I think they deserve our thanks, as they have been the means of eliciting from my right hon. Friend the Secretary of State for the Home Department the declaration which is undoubtedly important, and which is supposed to be—I do not say whether it is, because I am not, perhaps, a competent judge on that point—but which is supposed to be entirely different from the declaration we received from the right hon. Gentleman the Chancellor of the Exchequer upon the occasion of his first bringing these Resolutions before the House. The speech of the right hon. Gentleman the Secretary of State for the Home Department—and I do not want in any degree to establish the fact of the supposed contradiction—enables me to express the great satisfaction with which I listened to him when he said—I use nearly his own words—that it is the intention of the Government to stand or fall by principles which they may deem vital in the settlement of this question. This important declaration shows us that the Government are conscious of the weight of the question which they have taken in hand, and that they will justly endeavour to fortify themselves with all that authority that accrues to a Government in the prosecution of such a subject by the knowledge that it stakes its existence upon it. Sir, the right hon. Gentleman opposite has to-night laid before us, with very considerable clearness—when I take into view the multitude of points embraced in so wide a scheme as that laid before us—I say with considerable clearness—the principal outlines of the plan of the Government, and he has likewise conveyed to the House the intention of the Government that we are to be called upon to follow the method of procedure originally indicated when bringing these Resolutions first before you. I will divide the little I have to say into two parts, and will first advert to one or two points connected with the plan itself. This is not an occasion on which at a moment's notice we ought to be called upon or expected to give a distinctive opinion on the character of the measure. But I will make an observation or two which may tend, without introducing asperity into the debate, to clear up certain points, and bring out some explanation. I wish to know from the Chancellor of the Exchequer and the Government by what information to be presented to the House, they sustain the estimates of the number of persons to be admitted to the franchise by the various changes contemplated which he has stated. That, he will perceive, is a matter of considerable importance, and I frankly own I am the more desirous of being in possession of that information, because as to a certain portion of his figures I listened to them with some incredulity, and it is most desirable we should be right in the matter. The most important point in the statement of the right hon. Gentleman is that part which related to the number of persons to be admitted to the suffrage by the lowering from a £10 annual value to a £6 rating; and I dwell the more pointedly on this subject, because it was one which it was our duty to consider in the course of the last year, when we were in possession of figures provided by the most competent authorities, and when we endeavoured to estimate for ourselves as accurately as possible the number of persons to be admitted to the franchise by the reduction from a £10 annual value to a £6 rating. The right hon. Gentleman stated the number at 130,000; but, according to the best computation we were able to make, the number did not exceed 105,000. I am desirous that we should go to the root of the matter. And here I may allude to the total amount of enfranchisement which he proposes in boroughs, although, according to my view of the matter, it is not very necessary to consider that portion of the borough franchise which does not concern the labouring classes. Whatever may be the effect upon the vote of this or that Gentleman, I will state the estimate I form of the difference between the plan of last year and the plan of the Government this year with respect to the number of the labouring classes proposed to be enfranchised in boroughs. I admit, with the hon. Member for Wick (Mr. Laing) and the hon. Member for Birmingham, that we gave a liberal and, perhaps, lax definition of the class "working men," but we proceeded on the definition to which we have been accustomed. We, by the provision for reducing the value from £10 to a £7 gross estimated rental by the provision relating to the class of compound householders, and the provision relating to lodgers, estimated in the boroughs an increase in the suffrage to the extent of 200,000, the whole of which essentially belonged to the labouring classes. The franchise we proposed, with respect to depositors in savings banks, we considered of such limited operation that we could not venture to state any figure which that franchise might possibly produce. We believed it to be unexceptionable in principle, but that its effect would be inappreciable. Instead of 200,000, the right hon. Gentleman admits no more than about 100,000. I take the effect of the £6 rating would be the admission of 100,000 persons to the franchise. The admission to the franchise, for degrees and certificates, will have no appreciable effect on the labouring class, and the franchise arising from money in the funds will have no operation in that direction. With regard to the franchise connected with savings banks, whilst I must confess that I am doubtful on many points as to that franchise, in the form it has for the first time assumed in the speech of the right hon. Gentleman, yet, even if he gets his 35,000 real and true voters, and not faggot voters, they could not be properly taken as fair representatives of the labouring class. The number of artizans and mechanics who deposit in savings banks is unfortunately very small. And what is more, in the old savings banks there are found as depositors a considerable number of persons who have been in a situation assimilated with the labouring class, but who are the most dependent portion of them — namely, domestic servants, and therefore cannot be counted with the independent portion of the labouring classes. My hon. Friend the Member for Wick has referred to the important question of finality, and I may use the word, because we all understand what is meant by it. The hon. Member for Wick and the hon. Member for Birmingham are not far distant in their views. The hon. Member for Birmingham gave utterance to what I presume to be a common sentiment when he said that our desire was to get rid of the subject for the remainder of our lives. It is in that sense that I spoke of finality. I confess we did believe in the formation of our measure that a liberal admission to the franchise was essential to anything like finality. Therefore, when I point out that the popular element admitted by the present plan of the Government is little more than one-half the number included in the plan of the late Government, I am not currying favour with those who may prefer agitating for perpetual change when I claim credit for having by a liberal boon endeavoured to close agitation. But there is a question more important than any question of mere numbers, and that is the question of principle. We were content, in default of any more definite rule, to make a considerable selection of the superior portion of the working classes. Our principle was to make such a selection in the same mode as the selection made by the Reform Bill of the middle class, and to have regard to the line then drawn. I am well aware that there were many in this House honestly dissatisfied with the line then drawn. They wanted something more distinct — something more in the nature of a formidable barrier, marking off the ground between those who were admitted to the franchise, and those who were not so admitted. On this point I am desirous of asking the right hon. Gentleman a question, and I hope he will excuse me if it is somewhat minute. Does his extension of the franchise embrace only those who are rated at sums over £6, or does it embrace all those who are rated at £6 and upwards? If it embraces all those who are rated at £6 and upwards, I must observe that his proposal is precisely in the same condition as ours, with a total want of any fence, or hedge, or barrier. It is so open in the abstract to argument that you have no security against its being carried farther. It is still more open to objection than our proposal, for we, by a liberal concession, sought to put the question at rest, but the right hon. Gentleman, by granting only a moiety, gives a premium for continual agitation. I did not hear him state any provision with regard to compound householders and lodgers. That portion of the subject is so important that I presume he would have included these if they were intended, and perhaps the omission will be supplied hereafter. There is one portion of the plan to which I refer in terms of satisfaction, and that is the bold proposal made by the right hon. Gentleman with respect to certain corrupt boroughs. I must not be understood to speak of any Report except those I have seen. I have read Reports concerning two boroughs, and I must confess that I think upon the whole, whether disfranchisement for a very long period might have sufficed or not, undoubtedly, if the Government make a proposal for their total disfranchisement, I shall not object. The right hon. Gentleman might derive some encouragement from the warm and lively cheer which he received from this side of the House at that passage in his speech. I am glad he has given in the engagement — conditional perhaps in terms, but substantially unconditional — that the very important general change which he contemplates in the law relating to bribery and corruption will not be saddled upon the Bill relating to the franchise. The proposals of the right hon. Gentleman touching matters of the utmost delicacy as connected with the rights and privileges of Members of the House, deserve the most careful and above all the most impartial consideration. Provisions relating to bribery and corruption are matters which do not affect one party more than the other; and I trust we shall consider the question calmly and with open minds, for to treat it as a subject which bristles at every point with old controversies, and anticipations of new ones, would be most unfortunate. I am glad therefore that the House will not be called upon to consider these proposals as a portion of the Bill relating to the representation of the people. I would make the same remark as to the Resolutions relating to the registration of voters for counties, and to the provision for diminishing the distance that voters have to travel. As regards both those Resolutions, the object which the right hon. Gentleman has in view is excellent, but it will involve much consideration in detail, and many difficulties will have to be surmounted. I would suggest that the separation of those matters also from the great question of the representation of the people would be a measure well calculated to advance the proper settlement of the question. I will not trouble the House with any other remarks on the proposals which the right hon. Gentleman has submitted, but I come now to the question of procedure. I think the right hon. Gentleman cannot have failed to notice, as truly remarkable, the precise concurrence of opinion between my hon. Friend the Member for Birmingham and my right hon. Friend the Member for Calne. I am sure the right hon. Gentleman does not suspect those two most distinguished Members of this House of a corrupt collusion. When I came down to the House I was entirely ignorant that there would be any such manifestation of concurrent opinion; but that manifestation comes from Gentlemen pretty widely separated by their opinions, and whose separation in opinion has been certainly not unconnected with tolerably brisk political conflict. That concurrence of opinion is not a mere accident; it is a significant indication of opinion in this House. My right hon. Friend the Secretary of State for the Home Department (Mr. Walpole), who is rather deeply responsible in this matter—for it was he who, with the most benevolent intentions, launched last year the idea of proceeding by Resolution — could not fail to become aware that, in the manful and energetic defence he was making of the Government he was not sustained by the expressed approval of his party, nor, after the question had been so pointedly raised by Members of such importance as the two I have mentioned, was the slightest indication given to countenance that method of proceeding. This is in my opinion a very serious matter, and for this plain reason, among others, that it is intimately connected with the question of time, which in dealing with a subject like this within the limits of a Session, becomes, not of secondary, but of primary importance. I do not wish at all to recede from the ground which I originally took with regard to that. If it is the view of the Government, if it is their distinct conviction, that procedure by Resolution is preferable to procedure by Bill, I must say that I entirely differ from the view; but I waive the difference. One thing, however, I contend for, and I put it to the Government, and that is, that if we are to proceed by Resolutions it should be by Resolutions that really embody the plans of the Government. Why, Sir, even the Government themselves would be embarrassed by the terms of their own Resolutions. Here, for instance, is a Resolution which says—

> "That, in revising the existing Distribution of Seats, this House will acknowledge, as its main consideration, the expediency of supplying Representation to places not at present represented, and which may be considered entitled to that privilege."

Now, what construction does that bear? Does it bear any other construction than this, that whatever number of seats the Government may be anxious to dispose of by its plan the principal part of them will be given to those communities which are at present unrepresented? The words drawn up in the Resolution will only bear that construction, and that must have been the intention of the drawer of the Resolution. But the right hon. Gentleman's proposal does not carry out that intention; on the contrary, it divides equally the number of seats which are to be given to new communities and to old ones; indeed, there is a majority of one in favour of old communities. That is one instance of the uselessness of Resolutions of this kind. Then, again, there is the third Resolution, about the predominance of classes, of which I must say that in its abstract character it is more like a proposition for the Oxford Debating Society than a proposition from the right hon. Gentleman opposite. It is more like a proposition for a class than a proposition to be submitted, and gravely submitted, to a Senate. Independently of that, I must say that the discussion of such a proposition ill accords with that admonition bestowed on us in the Speech from the Throne to charity, and moderation, and mutual forbearance. It would be impossible, when we consider all the former debates on the Corn Laws, and many other debates that would be raked up, if we were to go on. The sorest points of the question are all touched by raising in that indirect manner the question between class and class. For what purpose is it to be raised? The proposition itself is a truism. If you have a proposal for a £6 franchise that distinctly and intelligibly defines your view of the manner in which the relations of class and class are to be disposed of so far as regards the political franchise. The acceptance, rejection, or modification of that proposal will define the practical opinion of the House on the subject. What can be the use of debating these matters in the abstract when we are to decide them in the concrete, at a time when it is admitted on all hands that whatever differences there may be the thing of the most cardinal importance is that we should get forward with dispatch and expedition? When my right hon. Friend the Secretary of State for the Home Department expressed his opinion in favour of Resolutions, on what ground did he recommend them? He recommended them upon this distinct, clear and forcibly stated ground, that by means of these Resolutions he, or rather the forms of the House, would coerce and compel every man, with a peculiar idea on the subject of the representation of the people, to produce it here and have it debated and decided, and all this as a preliminary to Reform. He distinctly challenged one well-known gentleman, and the challenge applied to many more, and the right hon. Gentleman used the argument, as it appeared to me, in the most forcible language. Taking the whole of that part of his speech bodily, sentence by sentence, and word by word, there could not be a better speech against proceeding by Resolution. Remember what these ideas are. Remember that they are not the mere crotchets of idle and light-minded men. Many of the most acute intellects in the country have been busy for years past on the subject of our representative system, and from closet and study have emerged many schemes, with regard to which it is quite true that we must, at the end of our discussions, find that they are not well suited for practical adoption, but they would have to be debated with respect, and could not be got rid of without long and intricate discussion. But all this is to be dealt with by us, not in Committee on the Bill, but in Committee on preliminary Resolutions, which define almost nothing with regard to the nature of the Bill. I take it for granted that there is no intention of pressing any proceeding to-night. It is quite evident that the position of the House is fundamentally altered by the proceedings of this evening. Until this evening we were wholly ignorant of the plans of the Government. The right hon. Gentleman has, however, laid before us in considerable detail, and for the most part with considerable clearness, the nature of those plans. I assume, therefore, that we do not proceed to-night even to move you, Sir (the Speaker), out of the Chair, because that Motion would itself constitute a very important step, and the House should be left perfectly free, even on that preliminary step, without giving an opinion. I assume that we shall not be called upon to proceed this evening, and probably the more convenient course on this great matter will be that the next Government night, if it be agreeable to the right hon. Gentleman and his Colleagues, should be taken for the purpose; but that the interval which, I think, may be claimed, and I am sure the claim will be admitted in the interests of the liberty of the Members of the House—the interval will, I trust, have its value to the Government. I am not taking the part of an opponent of the Government in urging upon them this recommendation. I put it to my right hon. Friend the Home Secretary, who regards the dignity of Parliament as much as any man who sits within these walls; and I put it to the Chancellor of the Exchequer, who has studied the history of the country and the Constitution, that this House has never been called upon to discuss Resolutions, necessarily of a vague character, subject to every kind of difference and interpretation, open to every man to construe in his own sense, and all this at a time when behind these Resolutions there lies a clear and definite plan announced to us. This position is novel, and I cannot venture to prognosticate what inconvenience might arise from it in the discussion; but, at any rate, I press on the Government that it is a mode of proceeding such as the House of Commons has never been called upon to adopt. The right hon. Gentleman said the other night that he thought the Government in a matter of this grave character were entitled to point out the method of procedure. I do not think that any undue impatience has been manifested with regard to allowing that function to be exercised. I will undertake to say that if we had definite Resolutions before us, framed so as to embody the main proposals of the speech of the right hon. Gentleman, we might, rather than inconvenience or obstruct the House, proceed upon them; but I do hope, and this is the last word I shall say, that we shall not be called on to proceed upon Resolutions such as those which are now before us. It is not compatible with the character and dignity of the House, nor with the desire expressed by a large portion of the House, to proceed with due despatch and dilligence in the prosecution of the subject, thereby preserving and vindicating, not only among ourselves, but in the face of the country, the character and credit of the House of Commons, which would otherwise be grievously imperilled, that we should allow it to be said that we did not exercise a sound and strict judgment with regard to all the steps in which we may proceed to the settlement of this question.

THE CHANCELLOR OF THE EXCHEQUER, in reply, said: I need not, I believe, upon this occasion trespass at any length upon the time of the House. I differ from the right hon. Gentleman (Mr. Gladstone) with respect to a portion of the figures in this case. I believe that my estimate is the correct one; but that is a subject which can be much more conveniently discussed at a subsequent stage in our proceedings. The right hon. Gentleman called my attention to the position in which the House is placed by the mode in which it is proposed that we should deal with the general question of Reform; and he has drawn a powerful argument against our entering into a consideration of the Resolutions from the circumstance of the extraordinary concurrence of opinion expressed by the hon. Member for Birmingham and the right hon. Gentleman the Member for Calne. That agreement is no doubt very striking. But there is one thing perfectly evident, and that is that both the hon. Member for Birmingham and the right hon. Member for Calne are very anxious that the proposed Bill should not pass; I am not therefore surprised that they should speak of the course we have pursued in so hostile a spirit. However great may be the divergence of opinion between them, no attempt has been made by them to disguise their desire that our measure should not be a successful one. I hope, however, that this is not the feeling of the House generally; and Her Majesty's Government do not certainly share their opinions, because we are most anxious to introduce and to pass a Bill upon this subject. As far as the Resolutions are concerned we shall be prepared to do everything in our power to meet the views of the right hon. Gentleman and of the House. I do not mean to insist on any Resolution that would lead to mere idle controversy. I am referring to those points on which there is no necessity for taking the opinion of the House. But many of the Resolutions are really of a very important character. I should certainly like to have a distinct opinion of the House on such subjects as the registration of voters, the employment of polling papers, and the payment of the travelling expenses of electors; and I am particularly anxious that the Resolution with regard to the Boundary Commission should receive the sanction of the House. It is of the greatest importance that the labours of the Commissioners should at once be commenced; and I should be perfectly willing when we get into Committee to begin with the thirteenth Resolution. With regard to the other Resolutions, I have no doubt that the House would on reflection take a sensible view of them, and would adopt those that it is desirable to have passed. It will be for us to consider whether there are not some among the Resolutions that need not be brought before the House. [*Cries of* "Withdraw!"] I would sooner come to an understanding upon this point when we go into Committee. We might then pass these Resolutions to which there can be no objection; and with regard to one or two others, on which it is not necessary to offer an opinion, I should not attempt to press them. I cannot have any objection to the suggestion of the right hon. Gentleman that we should not proceed with the Resolutions to-night. I think it is a very reasonable one; but I suppose that we might proceed to their consideration on Thursday next. ["Hear, hear!" *and renewed cries of* "Withdraw!"]

MR. ROEBUCK: I would beg of the right hon. Gentleman, and of the House, to consider whether the mode of procedure adopted does not amount to trifling with the question. I give the right hon. Gentleman full credit for desiring to pass some Bill. Any stranger who had been here the other night, when the right hon. Gentleman addressed the House on this subject, must have thought that he was putting a trick before it. I am sure he does not desire to do that. What possible good can follow from our passing the Resolution about a Boundary Commission? The Queen has power to issue a Commission, and to invest it with power to make certain inquiries. What, then, can be the object of passing this Resolution, except the wish to ascertain beforehand what may be safely put into the Bill? I do not think that that is a position proper to Ministers of the Crown. Let the right hon. Gentleman, on his own responsibility, tell us what he thinks is right, and embody it in the clauses of a Bill; then the House can accept or reject as it thinks proper. That is the constitutional mode of proceeding; but the tentative process of ascertaining what will pass the House, in order that he may bring in a safe Bill, will do no honour to the right hon. Gentleman, and if acquiesced in will do none to this House.

SIR WILLIAM STIRLING-MAXWELL said, he wished to take an early opportunity of expressing his disappointment that the claim of Scotland to some increase of representation had not been acknowledged on this occasion as it had been in former Bills. It contained prosperous towns and Universities larger than that of London, which were unrepresented, and he would beg of those Members of the Cabinet who represented Scotland to impress the facts on their Colleagues. He also gave notice that on Friday, on going into Committee of Supply, he would ask a question on the subject, to which he hoped the right hon. Gentleman the Chancellor of the Exchequer would give an answer which would not disappoint the just expectations of the people of Scotland.

SIR GEORGE GREY: Before calling upon the House to resume the discussion of this question, I trust the Government will lay upon the table an amended copy of the Resolutions, showing those it is proposed to omit, the alterations it is proposed to make, and the order in which they will be taken. The right hon. Gentleman laid great stress on the boundary question; but I believe a Resolution to be quite unnecessary. It is quite competent for the Government on its own responsibility to issue a Commission to revise boundaries. Of course, its Report will have to be confirmed by Act of Parliament before it can take effect. I would suggest to the right hon. Gentleman to consider whether he is not departing from the invariable practice in asking the House in Committee to address the Crown; and I would put it to the Secretary of State for the Home Department, whether an Address to the Crown for a Commission has ever been adopted except by both Houses. I would also ask the right hon. Gentleman the Chancellor of the Exchequer, when he will lay on the table the statistics on which he has made the calculations with regard to the number of voters who would be admitted into borough constituencies by the proposed franchise?

MR. WARNER said, they were all anxious for a settlement of that question; but it was obvious that such a result could not be obtained by such a proposal as that which had just been laid before them by the Chancellor of the Exchequer. He suggested that it would be a better and simpler arrangement to keep the existing franchises as they were, and in addition introduce a measure of household suffrage in the boroughs, with the restriction, that no person who was excused from payment of taxes on the score of poverty, should be entitled to a vote. That seemed a fair way of dealing with the question; it would disfranchise nobody, and would add greatly to the representation of the country.

MR. SERJEANT GASELEE thought the mode of proceeding by way of Resolution was exceedingly objectionable, inasmuch as it would retard instead of advancing the question. There was scarcely one of the Resolutions for which he could vote. He hoped the Government would see that persistence in the course they had adopted would simply waste valuable time. The best plan would be to introduce a Bill at once. At the same time, so far as he had heard the provisions of the Government plan explained, it was the most ridiculous attempt to settle the question that he had ever heard propounded.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Thursday.*

CRIMINAL LUNATICS BILL—[BILL 41.]

(*Mr. Secretary Walpole, Mr. Attorney General.*)

SECOND READING.

Order for Second Reading read.

MR. WALPOLE, in moving the second reading of this Bill, said, its object was of some importance. As the law stood, when a criminal was found lunatic, either at the time of his arraignment or after the verdict of the jury, the Crown had power to deal with such lunatic; and, on a criminal lunatic being cured of his lunacy, the Crown had power to order his discharge; but the Crown had no power to discharge a criminal lunatic, when quite recovered, unless he was set entirely free. The object of the present Bill was to enable the Crown, instead of entirely discharging such a person out of prison, to impose such conditions upon the release that the individual should be subject to a certain amount of surveillance. The Bill also provided that a criminal lunatic might be removed to a county asylum on the expiration of his sentence.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday.*

TRADES UNIONS BILL—[BILL 18.]

(*Mr. Secretary Walpole, Lord John Manners, Sir Stafford Northcote.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. HADFIELD said, he did not rise to oppose going into Committee, but simply to state that, in the first place, five years, the limit of inquiry now proposed, would be insufficient; and, in the next place, that unless the principle of exemption from punishment was extended to the perpetrators themselves of the crimes the truth would not be come at. He was no apologist for a man who took the life of another, but in these cases the man to reach was the briber of the assassin. The limitation of the Bill to outrages committed within the last ten years would prevent the investigation of matters about which valuable evidence might present itself. For instance, there had just appeared in the papers a case which had occurred in 1856, and of which a prisoner had just made a confession. The Commissioners would be stopped from inquiring into that transaction.

Motion *agreed to.*

House in Committee.

(In the Committee.)

Clause 1 *agreed to.*

Clause 2 (Limits of Inquiry under Act.)

MR. NEATE thought that though the inquiry into the general effect of trades unions and that into the Sheffield outrages were both to be made under the Royal Commission, a proper distinction should be drawn between the two branches of proceeding. He thought that the Commission should be remodelled, and that there should be a Special Commission to make the subordinate inquiry. He would move an Amendment that the names of the Commissioners to whom it is proposed to give Parliamentary powers should be inserted in the Preamble.

MR. ROEBUCK reminded the hon. Member that this was not a Parliamentary Commission. It seemed to him that there was unnecessary confusion in the matter. A Commission had been appointed to inquire into trades unions generally. Then, beyond this, there was the particular case of Sheffield. This Bill proposed not only that there should be a general Commission, but that the Commissioners should appoint independent persons to conduct the whole or any part of an inquiry under the powers of the Act. But nobody knew at present who were to be the three Commissioners, and the question was, whether these Special Examiners should be appointed by the Secretary of State or by the Commissioners.

MR. WALPOLE explained that the

object of having the Commission was to inquire into the subject of trades unions generally; but, as incidental to that inquiry, it would probably be necessary to inquire into certain acts of intimidation that might have been practised by these associations. The clause, however, did not refer to this latter subject, but was confined to inquiries into outrages in Sheffield. The masters and men at that place wished for inquiry to clear up the question whether the trades unions were or were not guilty of these outrages. If the Commissioners wished to make similar inquiries elsewhere, they could only do so on having the sanction of the Home Secretary. If the Amendment were agreed to, the Commissioners themselves in a body would have to go to Sheffield, which would considerably increase their labour; but as the Bill stood, one or more Commissioners might go to Sheffield, or they might appoint an Examiner to go down and take the evidence. He would, however, consider whether he could not insert some words on the Report which would remove any ambiguity on the point.

Mr. NEATE said, he would not press his Amendment.

Amendment *withdrawn.*

Mr. GOSCHEN proposed the omission of the words, "or wrong," on the ground of its indefiniteness.

Mr. WATKIN said, one of the complaints at Sheffield was of men's dinners being thrown into the fire. Now, acts of this kind did not amount to intimidation or outrage, but would come within the category of a wrong.

Mr. POWELL said, that acts, which at first appeared mere wrongs, might turn out on further inquiry to be gross intimidation. He objected to the powers of the Commission being narrowed by the omission of the word "wrong."

Mr. GOSCHEN thought the Committee were bound to be most particular in the wording of the clauses, because the workmen were not represented in that House.

Mr. ROEBUCK thought it desirable that the words should be retained on the ground that they embraced acts which could not be described as outrages or intimidation. He should not like to have his dinner thrown into the fire, and if such a thing were done, he should be anxious to find out the author. Moreover a workman often found it very hard to pay for his dinner.

Mr. Walpole

Mr. WALPOLE said, one of the things most complained of by workmen at Sheffield was their wheelbarrows being stolen, and he doubted whether such annoyances could be better included than under the term "wrong." In his opinion, the omission of the words would operate to the disadvantage of the workmen.

Mr. AYRTON said, he could see no objection to the word "wrong." It was reported that the masters combined in refusing to employ members of trades unions. This was a great wrong, and perhaps it might be necessary to inquire into the conduct of both masters and workmen.

Mr. SAMUELSON suggested that acts of the kind alluded to might form part of the general inquiry; but that the Sheffield investigation should be limited to more serious offences.

Mr. FOSTER suggested that the words "unlawful act" would be better.

After further discussion, Amendment *withdrawn.*

Mr. W. E. FORSTER suggested that the power to extend the inquiry in exercise of the powers of this Act to any place but Sheffield should be omitted.

Mr. WALPOLE said, it would not be desirable to preclude the Commissioners from extending their inquiry into outrages similar to those at Sheffield committed at other places. One principal object of the Bill, however, was to inquire into the particular outrages of Sheffield. He would frame an Amendment on the Report, which would, he thought, meet the objection. He now moved to substitute "ten" years for "five" as the limit of the inquiry of the Commissioners into cases of outrage.

Mr. HADFIELD moved, as an Amendment, the substitution of "fifteen" for "five," contending that the longer term was necessary to cover the inquiry.

Mr. ROEBUCK said, he thought his hon. Friend's object would be attained by leaving the limit as proposed, but inserting the words "without the written sanction of the Secretary of State," in the second section of the clause, which would enable the right hon. Gentleman to extend the inquiry over any period that might be necessary.

Mr. WALPOLE believed, that the limit of ten years was sufficient, being anxious to confine the powers of the Commissioners to such a period as both workmen and masters were inclined to agree upon, instead of pushing it back to a time regarding which differences might arise.

Amendment (*Mr. W. E. Forster*) *negatived;* Amendment to substitute "ten" for "five" *agreed to;* words "with the written sanction of one of Her Majesty's Principal Secretaries of State" inserted; a further Amendment, to add the words "at the request of the Chairman of the Commission" (*Mr. W. E. Forster*) *agreed to.*

Clause, as amended, *agreed to.*

Clauses 3 and 4 *agreed to.*

Clause 5 (Indemnity to Witnesses.)

MR. HADFIELD moved to omit from the clause the words in lines 32 to 38, which except from the indemnity the actual perpetrators of the offence.

MR. ROEBUCK said, the actual perpetrator of an outrage might be only a poor, ignorant, wretched creature, who was incited to do the deed by somebody else, who was the real criminal. Bearing that in mind, how would this clause, as it now stood, work? At Sheffield, a man's house was blown up, and although a very large sum was offered, they could not discover the offender, because there was only one person who really was the criminal, and he would not give evidence against himself for any sum of money. The consequence would be that if they allowed the words excluding the perpetrator from the indemnity to remain in the clause, neither the real perpetrator himself, nor the person who had incited him to the act, might be discovered. But he was informed, on very good authority, that if they pardoned the actual perpetrator of that crime, the latter would come forward and tell them who had instigated him to commit it. He therefore suggested that the clause should undergo amendment in this respect.

MR. AYRTON said, the question was as to whether they could permit a man voluntarily to announce himself as a criminal, and thereby exempt himself from punishment?

MR. POWELL cited the general Act, relating to corrupt practices at elections, wherein it was provided that all persons giving evidence fully and truthfully were to be declared exempt from punishment on account of any acts which they might then admit. As exemption was given in this general Act from the consequences of confessed crimes, he thought a special Act of the nature of that before the Committee should surely contain a clause of exemption; and he also thought that the exemption, if given, should cover all crimes confessed, whether great or small. Their object was, not so much to get at the actual perpetrators of past crimes, as to know how to prevent their recurrence in future.

MR. W. E. FORSTER, speaking as a resident magistrate of Yorkshire, objected to the proposed Amendment, on the ground that, as the police had not given up all hope of discovering the perpetrators of the Sheffield outrage, it was unwise to give them an opportunity of coming forward and saying, "I did this crime, and now you cannot punish me."

MR. BARROW said, it was essential that the actual perpetrator should be indemnified, if they wished to get at the real truth of the matter. The real perpetrator of the offences committed at Sheffield was the briber rather than the actual offender.

MR. ROEBUCK thought it very remarkable that those who desired, above all others, to punish the offender in a special case, were endeavouring to make the inquiry totally inefficient. Without complete indemnification, the Bill would be totally useless, in his opinion.

MR. GOSCHEN said, the police were on the track of some of the men who had perpetrated these outrages, and might discover them; and therefore it would seriously interfere with the course of justice, if they allowed this Amendment to pass.

MR. ROEBUCK said, that his object was that no punishment at all should be administered.

MR. GOSCHEN remarked, that in that case the hon. Member desired to compound with justice, to let off criminals, in order to get evidence upon a political question.

THE ATTORNEY GENERAL said, there was a manifest difference between an inquiry into the question of a crime with a view to punish the criminal, and an inquiry into the existence of a crime for the purpose of ascertaining, if possible, its connection with certain economical principles. In the one case, it would be manifestly absurd to offer pardon to the criminal, if he would but confess; in the other case, truth, and not punishment, was the object. Having carefully considered the question, it appeared to him that the Amendment of the hon. Member for Sheffield (Mr. Hadfield) was right, and that the objection made to the course which he suggested must be made subordinate to the important purpose of having the real facts of the case elicited for the information of the Commission.

Mr. W. E. FORSTER was surprised to find the Home Secretary, who was responsible for the peace of the country, and also the Attorney General of England, approving of an Amendment, the object of which was to give a power to acquit the perpetrators of a crime who should come forward and make a clean breast of it, simply because they wanted to ascertain facts to guide them to legislation.

The ATTORNEY GENERAL said, that the hon. Member's argument would have some force if the inquiry was got up in order to screen criminals.

Mr. AYRTON said, the House should consider what it was asked to do. Examiners were to be appointed by the Commissioners, and they were to have power to pardon murderers. That was the most extraordinary legislation he had ever heard of since he had had a seat in that House.

Colonel WILSON-PATTEN contended that the real question was whether one criminal should be let off with a view to putting an end to a series of dreadful outrages. For his own part, he was of opinion that the object in view could be best secured by the adoption of the Amendment.

Mr. ROEBUCK said, that the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) was under a curious misapprehension. He had stated that it was proposed to give power to the Examiner to let a criminal off. Nothing of the kind. The Act of Parliament said that if the man did so and so he should be pardoned, and not the Examiner.

Mr. THOMAS HUGHES desired that there should be a full and searching inquiry, and he was convinced that the result would be to show that several of the outrages had not been committed by trades unions or any person connected with them. He hoped the House would not agree to the Amendment of the hon. Member for Sheffield.

Mr. W. E. FORSTER asked the Secretary for the Home Department how it came to pass that he had changed his views on the question at issue since the drawing up of the Bill?

Mr. WALPOLE replied, that when the proviso in question was inserted in the Bill he entertained grave doubts as to whether indemnity should be granted to the actual perpetrator of the outrage. It had since been represented to him, however, that if that were not done the inquiry would be so hampered that it would be impossible to arrive at the real state of things. He had therefore come to the conclusion that the best course to adopt was to support the Amendment, believing that that course would enable the Commissioners more readily to ascertain whether the charge brought against the trades unions was or was not true.

Mr. AYRTON thought that the power of committing any man, if he declined to answer questions put to him, was objectionable. The Commissioners might ask a man who was concerned in the outrage if he had had a share in it, and if he declined to answer he would be committed, while, if he did answer, he must of necessity criminate himself. The principle was contrary to the one always adopted, and had no precedent in the administration of justice in this country.

Mr. ROEBUCK thought there were some Gentlemen who were strongly inclined to support every proposition tending to render the measure abortive. If a man were asked whether he had blown up the house he would, if innocent, at once reply in the negative, while if he were guilty he could still tell the truth and claim to be indemnified. It was the man's own fault if he refused to answer, and, as none but the guilty would make such a refusal, he could not see any force in the objection.

The SOLICITOR GENERAL also reminded the House that inasmuch as the Act sought to gain an open confession, the perpetrator of the outrage could claim an indemnity on acknowledging his guilt. If a man, therefore, refused to answer the questions of the Commissioners, he fully merited his commitment.

Amendment *agreed to;* first and second Provisoes *struck out.*

Clause, as amended, *agreed to.*

Remaining clauses *agreed to.*

In reply to Mr. Ayrton,

The SOLICITOR GENERAL stated, that the persons committed to prison under the provisions of the Bill would not be committed for a longer time than until the end of the Commission.

Preamble amended and *agreed to.*

Bill *reported;* as amended, to be *considered* on *Thursday.* [Bill 58.]

IRELAND—THE LORD MAYOR'S BANQUET—CARDINAL CULLEN.

OBSERVATIONS.

Mr. NEWDEGATE said, he wished, before the adjournment of the House, to refer to the statement made by the Chancellor of the Exchequer, that Dr. Wiseman had been examined before a Committee of the House in his capacity of Cardinal. It was not the fact that Dr. Wiseman had attended the Committee in the capacity stated by the right hon. Gentleman. He (Mr. Newdegate) had referred to the proceedings of the Committee on Catholic Charities, and from these had found that the case was very different to what had been stated. It was quite true that Dr. Wiseman, when he became Cardinal, was summoned before the Committee, but he declined to appear. It was, however, eventually determined to summon him, and the result was embodied in the Minutes of the proceedings of the Committee, of date the 30th of June, 1851, as follows:—

> "Motion made, and Question proposed (Mr. Anstey), that Dr. Wiseman be summoned to attend and to be examined before this Committee." "Amendment (Mr. Keogh), that the word 'Dr.' be omitted, in order to insert, instead thereof, the word 'Cardinal.' Question put that the word proposed to be left out stand part of the Question. The Committee divided—
>
> "Ayes, 9.—Mr. Anstey, Mr. Heald, Sir R. H. Inglis, Mr. Hardcastle, Mr. Shafto Adair, Mr. Fitzpatrick, Mr. Drummond, Mr. Marshall, Mr. Hutt.
>
> "Noes, 1.—Mr. Keogh."

The Committee re-assembled on the 17th of July, 1851, and the Members present were—

> "Mr. Headlam, Lord John Manners, Mr. Shafto Adair, Sir R. H. Inglis, Lord Henry Vane, Mr. Anstey, Mr. H. Drummond, Mr. Hardcastle, Mr. Fitzpatrick, Mr. Hutt; Mr. Thomas Emerson Headlam in the chair. The Right Rev. Nicholas Wiseman, D.D., called in and examined."

It would therefore be seen that no precedent existed, as stated by the Chancellor of the Exchequer; but, on the contrary, the Committee decided by 9 to 1 against allowing Dr. Wiseman to appear before them in his capacity of Cardinal. He was afterwards examined as the Right Rev. Dr. Wiseman, and was only recognised as a Bishop and Doctor of Divinity. He (Mr. Newdegate) hoped the House would excuse him for having made this statement. He had only done so because the Chancellor of the Exchequer had inferred that there was some precedent which might sanction what was done the other day at the banquet given by the Lord Mayor of Dublin. The real facts, however, went to prove that the precedent of the House was exactly diverse to the proceedings at Dublin.

RAILWAY CONSTRUCTION FACILITIES ACT (1864) AMENDMENT BILL.

On Motion of Mr. Whalley, Bill for the amendment of the Railway Construction Facilities Act, 1864, *ordered* to be brought in by Mr. Whalley and Mr. White.

House adjourned at a quarter before Twelve o'clock.

HOUSE OF LORDS,

Tuesday, February 26, 1867.

MINUTES.]—Select Committee—On Opposed Private Bills, Committee of Selection *appointed.*

Public Bills—*Second Reading*—Office of Judge in the Admiralty, Divorce, and Probate Courts (11).

Committee—Public Schools (4-29).

Third Reading—British North America (9), and *passed.*

Royal Assent—Habeas Corpus Suspension (Ireland) Act Continuance [30 *Vict.* c. 1].

H.R.H. THE PRINCESS OF WALES.

The LORD CHAMBERLAIN (the Earl of Bradford) *reported* the Queen's Answer to the Address of Friday last, as follows:—

> "I thank you sincerely for your loyal and dutiful Address on the Birth of the Princess, My Granddaughter;—and I derive great gratification from the renewed assurance of the interest you take in the domestic happiness of Myself and My Family."

PUBLIC SCHOOLS BILL—(No. 4.)

(*The Earl of Derby.*)

COMMITTEE.

Order of the Day for the House to be put into a Committee read.

The Earl of ELLENBOROUGH *presented* a Petition of a Committee of inhabitants of Rugby and neighbourhood, interested in Rugby School. The Bill, he remarked, gave powers to the governing bodies and masters which might be exercised in such a way as to injure very materially the privilege of persons entitled to send their sons free to the school. All that the petitioners asked was that before such powers were exercised they should have an opportunity of communicating with the governing bodies on the subject. That, in his opinion, was not by any means an unreasonable request.

THE EARL OF DERBY: I apprehend that there is some little difference between giving notice to a public body, which has a special interest in the subject, and giving notice to the inhabitants generally. If my noble Friend will put the proposed Amendment in my hands, it shall be taken into consideration before the Report is brought up. I had hoped, however, that the Bill would go down to the other House in precisely the same form as was approved by your Lordships last year.

House in Committee; an Amendment made; the Report thereof to be received on *Monday* next, and Bill to be *printed* as amended (No. 29.)

OFFICE OF JUDGE IN THE ADMIRALTY, DIVORCE, AND PROBATE COURTS BILL—(No. 11.)—(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR: My Lords, in asking your Lordships to read this Bill a second time, I beg to express my opinion that it is one of considerable importance. By its title it is a Bill to provide for the execution of the office of Judge of the Admiralty, Divorce, and Probate Courts; but it is virtually a proposal for a union of the three courts of Admiralty into one, preserving, at the same time, the separate power, jurisdiction, and authority of each. Such a proposal has already been in the contemplation of the Legislature. When the Probate Court was established in 1857 provision was made in the Act that, on a vacancy occurring in the Admiralty Court, the Judge of the Probate Court should become Judge of the Admiralty Court also; and that on a vacancy occurring in the Probate Court, the Judge of the Admiralty Court, with his consent, should become Judge of the Probate Court. In the same Session the Divorce Court was established, and the Judge of Probate was made Judge Ordinary of that Court. Of course, it was supposed that the business of the three courts would not be of such an amount as that it might not be disposed of by a single Judge; but experience has shown the increase of business to be such as renders it impossible that one or even two Judges can do the business of the three courts. I will call attention very briefly to the increase of business that has taken place in all of them. I will take first the Admiralty Court, which is presided over by an eminent person, of whom it is impossible to speak too highly, my right hon. and learned friend, Dr. Lushington. The business of that court has increased to a wonderful extent. In 1841 there were 237 causes tried; in 1866 there were 657. Among those are many collision cases involving a considerable amount of property; in a recent case — that of the *Amazon* and the *Osprey*—the damage to the former was estimated at £60,000, and that of the latter at £20,000. It is to be observed, that witnesses are now examined in that court *vivâ voce*, instead of by an Examiner, and the questions are frequently very complicated and embarrassing. While in 1841 the number of collision cases tried was forty-nine, in 1866 the number was 264. The business of the Admiralty Court is of a most important description; and, though small salvage cases and cases of seamen's wages have been withdrawn from the court, its jurisdiction has been extended to the ownership of vessels, mortgage claims, and damage to cargo; and I anticipate that in a short time the business will be still further increased. There is a Bill which I expect will be very shortly in your Lordships' House, by which it is proposed to extend the ancient jurisdiction of the Court of Admiralty over insurances, freights, charterparties, general and particular average, and other maritime matters. As to maritime contracts, Justice Story, in the case of "De Lovis *v.* Boit," observed—

> "The next inquiry is, what are properly to be deemed 'maritime contracts?' Happily, in this particular there is little room for controversy. All civilians and jurists agree that in this appellation are included, among other things, charterparties, affreightments, marine hypothecations, contracts for maritime service in the building, repairing, supplying, and navigating ships, contracts between part owners of ships, contracts and *quasi*-contracts respecting averages, contributions, and jettisons, and policies of insurance."

All this business, which is now in the Superior Courts, will be restored to the Court of Admiralty; and I am quite sure that, although these causes are at present satisfactorily disposed of under the existing system, yet I believe that persons connected with maritime affairs would prefer to have those important matters determined by a maritime court, rather than before juries consisting of persons who are not ordinarily conversant with such questions. I think I have shown your Lordships that the Judge of the Admiralty Court, from want of time, is not only incapable of undertaking the duties of another court, but that it is extremely probable he will be hardly able to dispose of all the business of his own court, and therefore the notion of making him Judge of the Probate and Divorce Courts also, seems to me quite unreasonable. Turning to the Divorce Court, I may remark that at the time that court was established it was supposed that as regarded the number of cases, the first year or two would be exceptional, as it was probable that persons who could not afford the expenses attendant on an application to your Lordships' House had waited to take their proceedings in the Divorce Court, knowing that its establishment was in contemplation. Unfortunately, it has turned out not to be the case, for since the first year the business has increased very largely. In 1858 the number of petitions for alimony was 40; in 1865 the number was 86. In 1858 there were 376 motions; in 1865 there were 708; in 1858 the summonses were 163; in 1865 they were 726; in 1858 the causes were 58; in 1865 they were 256; in 1858 the judgments were 52; in 1865 they were 260. Of course, most of those cases are of great importance and of great length; and it frequently happens that if exceptional cases, such as declarations of legitimacy which are tried by this Court, arise, the business accumulates, and falls into arrear. Then as to the Probate Court, in 1858 the number of causes was 380; in 1866 it was 538. In the former year the number of trials was 27; in the latter 59. Now, I think I have shown your Lordships sufficient by these statistics to convince you that what was contemplated by the Legislature in proposing that these three Courts should be under one head and one Judge, who would dispose of the business of all, is utterly illusory, if I may use the expression, and that it is absolutely necessary to provide for the discharge of the business of the three Courts in a more efficient manner. One proof of the inability of each of the Judges of those Courts to do more than the duty of one of them, is, that though the Judge of the Probate Court and the Judge of the Admiralty Court may sit for each other, on no occasion that I am aware of has either of them done so, not being able from want of time. Another most important circumstance is this:—Formerly the Judge of the Admiralty Court and the Judge of the Prerogative Court—which may be said to correspond to the Court of Probate—used to attend the sittings of the Privy Council, and it is very desirable that these civilians should be members of that tribunal, in which questions of maritime and civil law continually arise. During my time the occasions on which the Judges of the Admiralty, Probate, or Divorce Courts have been able to attend the Judicial Committee have been so rare as scarcely to be worth mentioning. I think, therefore, I have laid the foundation for the proposition that it is necessary that provision should be made for the execution of a portion of the duties devolving upon these Judges in their several Courts. What I propose is that a Court should be established consisting of a Chief Judge and two other Judges, each of whom shall have the same power in any of the three Courts as the Judges of these Courts now possess. By the Bill it is provided that in each of the Courts they shall be able to exercise all the powers and authorities belonging to the Judge of each; but the jurisdiction, authorities, and powers of the Courts are to be kept separate and distinct. In this way I propose to obtain a judicial power which can be concentrated and turned in any direction in which it is required. It frequently happens in the Admiralty Court, for instance, that there is a necessity for the despatch of causes; the witnesses, being generally seamen, are of a migratory description; and it is frequently of the greatest possible importance to be able to examine them at once. Owing, however, to the state of the other business of the Court, the Judge is constantly prevented from entering upon these causes, and the evidence is obliged to be taken before the Examiner. This is a most unsatisfactory way of proceeding; because, upon paper, which is all that the Judge has before him, one witness looks as well as another. Under this Bill it is proposed that there may be two Courts of Admiralty, two Courts of Probate, or two Divorce Courts sitting at the same time, and thus the business of all these Courts will be disposed of with much greater despatch. The three Judges will also constitute a Full Court of Divorce. Your Lordships are perhaps aware that in order to constitute a Full Court of Divorce at present it is necessary to borrow from the Common Law Courts two Judges, who, being called upon only occasionally to administer a kind of law to which they are unaccustomed, are perhaps led to yield their own opinion too much to that of the Judge Ordinary; and may not exercise their independent judgment to the extent it is desirable they should do:—so that, practically, it is an appeal from the Judge Ordinary to the Judge Ordinary himself. There will also be a Full Court for granting new trials. I have now explained to your Lordships, sufficiently I think, the general objects of the Bill; it is probably unnecessary to enter into minute details, which can be better considered in Committee. I know that my noble and learned Friend (Lord Cranworth) has turned his attention particularly to this subject, and I hope with some confidence that we may have his assistance and support. There is a further advantage which I propose to gain by the constitution of this new Court in the way that I have described, and that is, that the Chief Judge will be released from time to time, and so enabled to attend the Judicial Committee, and thus add to the strength of that tribunal. My noble and learned Friend evidently considers this a point of some importance; because last Session he laid a Bill before the House for the object of adding strength to the Judicial Committee. If the Bill should receive your Lordships' sanction, I expect that I shall have the satisfaction of establishing a most high and important Court, governed by the principles of civil law, in which Court will be collected a body of advocates learned in that law. I need hardly say that if war should unhappily occur, the prize causes will be tried in the most solemn, and decided in the most satisfactory manner; and even if questions of International Law should arise, provision may be made for having them determined in that Court. I perhaps may add a word regarding one of the clauses of the Bill relating to the Court of Arches. The Dean of Arches is a Judge of high authority and dignity, appointed by my most rev. Friend the Archbishop of Canterbury. Now, the Dean of Arches is in this extraordinary position: he is a Judge, as I have already said, of high dignity and great authority, but I believe his salary hardly amounts to £40 a year. [The Archbishop of CANTERBURY: Not £4.] Well, I will strike off the 0, and leave the salary at £4 a year. Of course, the most rev. Prelate finds it extremely difficult to appoint a Judge who has not some other means of supporting the dignity of his high office. Formerly, the course was to appoint the Judge of the Prerogative Court. Latterly, the office has been held by my right hon. Friend, Dr. Lushington. Of course, one must make some provision for vacancies occurring in the office of Dean of Arches, and what I propose is that the most rev. Prelate should have the power of appointing one or more of the new Judges to this Court. I am certainly anxious for the success of this Bill. I believe it will be one of great utility, and that it will provide a well constituted tribunal for the administration of justice in the Courts of Admiralty, Probate, and Divorce, and I trust your Lordships will grant the measure a favourable consideration.

Moved, "That the Bill be now read 2ª."—(*The Lord Chancellor.*)

LORD CRANWORTH said, that he gave his cordial assent to the principle laid down by the noble and learned Lord, that the judicial power of the country should, if necessary, be strengthened; and their Lordships, he thought, would be very reluctant at any time to be niggardly in affording sufficient judicial strength to all the important Courts of the country. During the short time last year that he had the honour of holding the Great Seal he looked into the question, and found that if the time had not actually arrived, it was fast arriving, when some addition of strength must be made to almost all the Courts. But he was bound to say that the two Courts which seemed to him least to require such an addition were these very Courts of Probate and Divorce and of the Admiralty, and nothing which he had heard from his noble and learned Friend had convinced him that his opinions on the subject were erroneous. His noble and learned Friend had referred to the figures supplied by the gentleman who held the office of Registrar of the Admiralty Court—and of his fitness in every way to discharge the duties of that office no one could entertain a doubt—and those figures certainly showed a great increase of business. Returns, however, merely stating the number of causes heard constituted a most fallacious test, unless they knew what the nature of those causes was—and no difference was shown between those which were important and those which were unimportant. The number of days during which the Court was occupied formed a more reliable indication of the business done; and from this point of view also a great increase had taken place; for whereas in 1841 the sittings of the Court of Admiralty had been held only on thirty-eight days, in 1866 they covered 147 days, which, at the rate of six days in the week, would be between twenty-four and twenty-five weeks. In the previous year, however, the sittings had only been ninety-nine; and one great cause of the increase in the year 1866 was the Banda and Kirwee Booty case, which by itself occupied the time of the learned Judge for above a month. Deducting those sittings from 147, the number would be reduced to about 125; and taking an average of five years, as it was right to do, the sittings of the Court would be only 111 days, or about eighteen weeks and a half during the year. He did not think those figures represented such an amount of labour as to call for the assistance of a second Judge. The Returns with regard to the other Courts did not afford the means of calculating the number of days which they had sat, but only the number of causes heard. He admitted that it would be of great advantage if some high judicial functionary were appointed, whose duty it would be to attend the sittings of the Judicial Committee of the Privy Council; but he confessed he did not see any great reason for the appointment of additional Judges to the Courts referred to; and he did not think his noble and learned Friend had made out a case for any increase of the judicial staff in the direction referred to. He was not one of those who thought the House of Commons wanting in liberality in providing salaries for new Judges when a good case for appointing them was made out; but he calculated that the Bill under consideration would involve an expenditure of £17,500 a year, and that, he thought, the House of Commons should not be asked to provide, unless it could be well assured that the business of the Court would increase to an extent justifying such an expenditure. It was true that his noble and learned Friend had spoken of a Bill now pending in the House of Commons which proposed largely to extend the jurisdiction of the Admiralty Court; and if that Bill passed a good case might be made out for the appointment of the new Judges. If, indeed, that Bill had passed the House of Commons and was before their Lordships, it might be that no objection could be raised to the noble and learned Lord's Bill. He would therefore recommend their Lordships to give the Bill a second reading, and postpone its further consideration until the Bill now in the House of Commons, referring to the Admiralty Court, had been disposed of by that House, and that then the two measures should proceed together. He did not object to the appointment of new Judges, if a necessity for them should be shown, and concurred in the proposal to put them on the same footing as other Judges as regards salary; but he contended that it was contrary to every principle of legislation to recommend a great increase of salary, and the constitution of a great Court before they were sure the business of the Court would increase to an extent justifying such a course. A precedent for carrying out his proposal for postponement was to be found in the conduct of their Lordships with reference to the Bankruptcy Bill introduced by Lord Westbury; they declined to create one of the Judgeships he recommended, on the ground that it was not clear he would have sufficient work to occupy his time. As to the introduction of a body of advocates learned in the civil law, he thought his noble and learned Friend rather sanguine, because the greater part of the business of the Court would be ordinary common and statute law. He quite approved, however, of the principle contained in the Bill, which proposed to bring into one Court the consideration of various descriptions of law; for he believed with Jeremy Bentham that every Court ought to administer all law.

THE LORD CHANCELLOR, in reply, said, that the business of the three Courts combined would be sufficient to occupy the whole time of the Judges. If those Courts were not fully occupied now, how was it that the Judges did not give their attendance at the Judicial Committee, where they were seldom seen, although they were qualified to sit there. The answer was that they would be glad to give their assistance if they had any spare time. His only desire was to see a good and useful Bill passed—one which would answer all the purposes intended—and he had no desire to press the measure on the House without sufficient information. He had not the slightest objection to act on the suggestion of his noble and learned Friend, and would accordingly, after the second reading, consent to the postponement of the Committee.

Motion *agreed to:* Bill read 2ª accordingly.

BRITISH NORTH AMERICA BILL.

(*The Earl of Carnarvon.*)

(NO. 9.) THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3ª."—(*The Earl of Carnarvon.*)

LORD CAMPBELL: My Lords, the notice I have given will at once convey to your Lordships the intention to raise the only question on the Bill which can divide opinion—namely, whether it ought to stand over the Nova Scotia General Election, as a large body of petitioners desire, or be hurried through the Legislature.

My Lords, the noble Earl the Secretary of State, together with his Colleagues, no doubt deserves praise for having introduced the measure first into this House, as such a course was likely to advance its dignity and credit. But would that dignity and credit be maintained if no debate was tolerated on a subject which involves the fate of interests not to be surpassed, and territories hardly to be calculated; above all, if silence was imposed, and unanimity exacted, on topics which beyond our walls are variously agitated? On Tuesday the whole evening was consumed by speeches from official men in favour of the measure. On Friday the Committee came on at an hour which made discussion quite out of the question, The same thing occurred last night. By interposing now, I take the latest moment to advert to views which should have had a more effective organ; but which, if they were not adduced at all, the injurious conclusion might perhaps be drawn, that great measures ought not, until they have passed the other House, to be submitted to your Lordships.

My Lords, the Nova Scotian claim, endorsed by 30,000 persons, is founded mainly on a circumstance which has not yet been even hinted to your Lordships. And yet it is not doubtful or unknown, since, in the course of the vacation, it was referred to in a published letter by so conclusive an authority as the Under Secretary of the Colonies. A series of events has taken place in Nova Scotia on the franchise. The old 40*s*. freehold having been deserted as a basis, innovations were adopted which led on to universal suffrage. Universal suffrage called into existence the assembly by which the resolution to empower delegates was carried. It involved so much corruption as to lead to its repeal. The next General Election will be held in May, under the amended system which experience has prompted. The question is not, should a great intercolonial scheme affecting Nova Scotia be referred from the Assembly to the people; but should it be determined by a body whose foundation is condemned when the delay of weeks might ascertain the judgment of a body whose foundation is unquestioned.

My Lords, the authority of Mr. Pitt has been advanced to show that Parliaments may join kingdoms without consulting the electors. On a point so abstract, Mr. Pitt was not unnaturally led to favour the solution by which his policy was vindicated. Locke, in an essay, has maintained the opposite opinion. But, granting the doctrine of Mr. Pitt to have been sound, and that of Locke to be mistaken, Mr. Pitt never ventured to maintain that an Assembly, whose essential principle had been recently discarded, ought to be permitted to cast into new and foreign combinations of existence the society it governs with a contested right and an invalidated efficacy. Neither philosophers or statesmen as yet have countenanced the principle. The power by which the Resolution was adopted is not the power to which Nova Scotia wishes to confide its destiny and government. Are they not entitled, on a matter which affects name, dignity, existence, commerce, and defence, to appeal from a system their intelligence rejects to a system their intelligence has chosen? But, my Lords, beyond this, the facts are not such as to imply, even on the part of the Assembly whose verdict would be so far from unimpeachable, a clear decision for incorporating Nova Scotia in the project now before us. The Bill is founded, I believe, on what is termed the Quebec scheme of 1864. When the Resolution, which alone engages the Nova Scotian Parliament, was in debate, its whole tenor, as our papers show, were against that project. The Leader of the Government was understood distinctly to renounce it. Our lights, indeed, may be imperfect upon this part of the subject, and I will not dwell upon it. But one thing is clear, the preamble of the Resolution comes before us in full and perfect authenticity. The preamble lays down the expediency of confederating British North America. But the decision of Prince Edward's Island, and Newfoundland, have been fatal to that object. It is one line of conduct for Nova Scotia to become combined with British North America, and another line of conduct for Nova Scotia to become isolated, or, at least, divided from the maritime dependencies. The conference at Quebec, in 1864, grew out of a conference at Charlotte Town, in Prince Edward's Island, of which the purpose was to combine the latter colony with Nova Scotia and Newfoundland. The original impressions from which the Resolution gradually sprung, would therefore now appear to militate against it. The whole history of the movement to unite the maritime dependencies, affords a fair presumption that Nova Scotia would not willingly, or without long deliberation and much division, separate her fate from that of the communities to which she had been so long and uniformly gravitating. We cannot, therefore, be surprised at the appeal which has been made, or the petitions which support it. The noble Marquess (the Marquess of Normanby), who has lately governed Nova Scotia, in an interesting speech, and in a warrantable manner, has endeavoured to throw doubt on the reality and power of the movement he referred to. He attributes 30,000 signatures to the machinery and eloquence exerted to obtain them rather than to any genuine conviction in the body of the people. Remarks, such as the noble Marquess made, might bear on any agitation at any time, in any country, and they have too large a sweep to be conclusive for their object. On what refers to Nova Scotian opinion, it would be presumptuous in me to controvert the noble Marquess. But the task has been already done by one more qualified to meet him. If the noble Marquess is disposed to reduce the agitation to a shadow, the noble Earl the Secretary of State enhances its importance. The noble Earl insisted that, if the limited delay in question was conceded, the whole scheme would be defeated. My Lords, by whom and what would it be in such a case defeated? It would not be by Canada, or by New Brunswick, to whom no reference is called for, and whose opinion is pronounced, but by the Nova Scotian movement, numbers and convictions of which the noble Marquess questions the existence. My Lords, I cannot but think the noble Earl the Secretary of State has been too prodigal in his admission. Looking to the evidence before us, I cannot take advantage—at least not to the full extent—of what he liberally offers. The appeal to the legitimate constituency might evidently bar the accession of Nova Scotia to the project; but wishing to avoid exaggeration—even when an adversary on the immediate question sanctions and invites it—I cannot go so far as to maintain it would inevitably do so. I will not lay down, what the noble Earl in substance has advanced, that the General Elecion which he fears would be quite certain to restrict Confederation to New Brunswick and to Canada. I do submit that we are bound in justice to appeal to it unless some Imperial necessity forbids us so to do. My Lords, if that necessity existed, we all know that it would have its origin in Canada. We know, also, that the noble Viscount (Lord Monck), who has just crossed the wintry Atlantic to enlighten the House upon the Bill before us, would never have omitted to explain it in his speech on Tuesday last. He did not point to such an exigency, either as regards the vulnerable frontier or the party complications of the colony he governs. Men of Parliamentary ability may sometimes lose command over a portion of their argument; but this essential link would never have escaped him. The noble Viscount did, indeed, remark that one central Legislature was better framed than four or five dispersed assemblies for the purpose of defence; but he certainly did not suggest that such a central body might control the operations of an army; and if he did, would scarcely recommend it to our confidence. The only military writers who have gone into the question of how far Confederation would increase the strength of British North America are two officers of artillery named Weber and Bolton, stationed in the garrison of Halifax, as well-informed as they had every reason to be impartial on the subject. The conclusion they support with masterly acuteness is that no further power of defence would accrue to these dependencies from a project which neither adds to population, or revenue, or to strongholds, which does not multiply armed men or bring new military genius into action, or mass together troops which would be otherwise divided. No exigency, therefore, to which this measure would respond is stated to exist as a reason for anticipating the Nova Scotian General Election. My Lords, if no exigency is in the way of an appeal to it, can it be said that no policy imposes and requires it? My Lords, unless I thought it did so I should not have come down to this House to-night, and still less have ventured to address it. The real issue —looking to Imperial security — which facts bring before us, has not been yet suggested to your Lordships. It is not whether British North America ought to be combined, but whether of the two combinations which will come into existence, the Canadian and the maritime, Nova Scotia ought to be attached to the latter or the former. My Lords, we must depart from general ideas, and weigh the very situation which presents itself before us. Prince Edward's Island and Newfoundland have declined to join the Confederacy. If they eventually resolve on joining it Nova Scotia is nearly certain to share their resolution, and the question is disposed of. To hurry Nova Scotia in that direction is superfluous. But if Prince Edward's Island and Newfoundland persist in keeping out of the Canadian or Continental system which invites them, the issue plainly is, with which of the two divisions ought Nova Scotia, for Imperial advantages and objects, to be blended. And that question can only be determined by referring to another — namely, whether or not, looking to the future, the retention of Nova Scotia may be important to the Empire. My Lords, that question opens large considerations, which I have no desire to approach, because it is enough to show the point to be a doubtful one in order to arrive at the conclusion that Nova Scotia ought not to be violently urged, against intelligible claims, into the Canadian system of the two which British North America exhibits.

Arguments may be used to show that Nova Scotia ought to be eventually abandoned, and arguments to show it ought to be eventually retained. On the one hand, it might divert a portion of our naval force from objects more important. It must, like Aden, Malta, Gibraltar, augment the national expenditure. On the other hand, in wars with France and the United States it has been found essential as a basis. Its geographical position renders it defensible. Bermuda, wanting coal, could never possibly replace it. If these considerations are only difficult to balance, if no maturity of judgment on them has been reached, they would suffice to prove that no step is wise which tends to pre-determine the detachment of Nova Scotia from our colonies. But how would this step do so? My Lords, it will not be denied that when Nova Scotia is attached to the system which the Bill creates it will most likely share its destiny and movement. It would scarcely be possible to break the artificial unity we now propose to organize. Is that unity itself without a germ of separation from the Empire? Is not a centrifugal direction, if not a centrifugal velocity, imparted to it? My Lords, I am led to think there is, without at all impugning it as regards Canada and New Brunswick, from a few circumstances which cannot fail to strike us. The new system will have a magnitude not much in harmony with the character of a dependency. Its type—that of federation—will be one under which dependencies have not as yet, I think, in any age been governed. But the language of the noble Earl the Secretary of State is still a graver omen of the future. The noble Earl has spoken of a new Power qualified to exist by the United States in dignified equality. But to let your Lordships see more fully the grandeur of the national conception he has formed, he added that Russia would hardly stand in a higher order of communities. I neither blame the calculation or repudiate the policy; but I submit to this House that, until we are prepared to surrender Nova Scotia, with the harbour, the garrison, and depôt it affords, it ought not to be abruptly and harshly plunged into a system over the destiny of which so little practical control appears to be anticipated by its founders. My Lords, I am perhaps exposed to the remark that Nova Scotia ought not to be incorporated in the scheme, if my view is just, whatever be the verdict of the General Election. But on questions of this kind it is allowed that colonial wishes and Imperial advantages should weigh together on our policy. Reproach will scarcely fall on individuals because they ask for less than argument would warrant. It would rather descend on Governments who resist a limited demand when policy would vindicate a more unqualified concession. A more unhappy moment could not be selected for sending the Bill to the other House of Parliament, unless the avowed object is to bar deliberation and make a chorus to repeat the statement of a Minister, or tribunal to register the edicts of his office. Distracted by a prospect which affects its own existence, the House of Commons cannot give its mind to British North America. I well know that the noble Earl the Secretary of State will be deaf to this consideration. He has now embarked on a career of irresistible velocity—

> "Fertur equis auriga neque audit currus habenas."

But I do venture, in no factious spirit and for no factious end, to appeal a single moment to his Colleagues, and to ask them whether I have at all misstated the events as regards the Nova Scotian franchise. Is the principle unsound that when the basis of a Parliament is seriously changed the amended system should determine questions vital to the people? Are we prepared, on military grounds, to part with Nova Scotia? Has the Bill, as it now stands, no tendency to separate it? Is it, therefore, a judicious course to repel the constitutional, the legitimate, and moderate demand that the verdict of the General Election in Nova Scotia should be listened to? When ought justice to control and generosity to influence if not when interest is dark and policy uncertain? When ought a scrupulous, a liberal and high-minded path to be adopted by a State if not when every other path is full of insecurity? The colonial measures of the Government will be scrutinized with more than ordinary rigour. The course of hurrying this Bill with unexampled haste through both the Houses, in order to defeat a claim which cannot be refuted, and to accelerate a loss which ought, at least, to be delayed, will never gain the approbation of posterity, even if in the distracted and heated times in which we live it should by any chance escape the censure of the public. The noble Lord moved that the Bill be read a third time that day month.

An Amendment *moved,* to leave out ("now") and insert ("this Day Month.")—(*Lord Campbell.*)

THE EARL OF CARNARVON: Considering how fully I trespassed on the patience of the House some days ago in respect to this subject, I do not think it will be necessary for me to go into all the arguments and precedents referred to by the noble Lord opposite, more especially as the larger proportion of the topics I dealt with on that occasion are identical with those brought forward by the noble Lord this evening. It is right for me to say at once that it is utterly impossible for me to agree to the Motion of the noble Lord for two or three reasons, which, I think, the House will at once admit to be conclusive. In the first place, the delegates who are at present in England, to the number of fourteen or sixteen, are gentlemen accredited by their own local authorities—they are the heads of opposite parties, or are the chiefs of important departments; they have been detained long in England awaiting the negotiation and passing of this measure, at great personal inconvenience to themselves, and, I must also say, to the great public inconvenience of their respective localities. I therefore greatly object to Parliament now, without any real and valid reason — and I can hardly admit that any such reason has been urged this evening—detaining these gentlemen for a fortnight or a month longer. And then as to the question of these 30,000 petitioners. We have never had any explanation as to who these petitioners really are. I believe the population of Nova Scotia is upwards of 250,000. Now, I am willing to take it as a fact, on the word of the noble Lord, that 30,000 of these are petitioners against this measure, but I must say that the evidence of that fact is wholly wanting. I understand that a petition has been presented in "another place;" but no petition whatever against this measure has been presented to your Lordships; and this House, therefore, is in no way cognizant of this petition. There are, indeed, various petitions in the blue book, which I laid upon the table of the House some time ago; but I found, as I stated when this Bill was read a second time, that all those petitions, one only excepted, were signed by the chairmen of the meetings, no statement being made either as to the number or the character of the petitioners on whose behalf they were signed. Then the noble Lord has founded an argument on the circumstances of some recent alterations in the franchises of Nova Scotia; but really, if this House is to go into all the intricacies and details of colonial government there can be no end to the matter. Such a course would have the effect of raising questions on every clause of the Bill. The House has simply to ascertain who are the constituted authorities of Nova Scotia, whom we are bound to listen to, and whose opinion we are bound to accept. Now, what have they said? In 1861 the then Parliament of Nova Scotia passed a Resolution in favour of Confederation in general terms. In 1863 that Parliament was dissolved, and a fresh Parliament was elected, and is in existence at the present moment. Well, it was only in June last that that Parliament came to a distinct Resolution in favour of Confederation — a Resolution as distinct as words could express it. That Resolution empowered certain gentlemen to proceed on their behalf to England to negotiate with Her Majesty's Government the terms of a measure to carry that vote into effect. These accredited envoys were accordingly sent, and the terms have been negotiated and embodied in this Bill. It appears to me that it is not competent for us to look behind that vote of the Nova Scotian Parliament, and to inquire what other parties may be in the colony, and under what circumstances the colonial local authorities and Legislature were elected. If responsible government means anything it means this—that you not only give to a colony free institutions, and enable the inhabitants to elect their own Parliament, but you also undertake, in matters of colonial policy, to deal only with that colony through the legally constituted authorities. Any other view of the case would lead us to endless difficulty. The fact is that in all cases like the present there must be a certain amount of opposition. The measure might be the most perfect that could possibly be framed; but, looking to the state of colonial society, there must be inevitably a certain number of dissentients. The noble Lord opposite says, "Delay this measure for another month in order to give time to the Nova Scotian Parliament to expire by the natural efflux of time, and see what the opinion of a fresh Parliament will be." Now, if I mistake not, the Nova Scotian Parliament expires in June, and the Canadian Parliament in July. Therefore, if you postpone this measure to June, you must also, in common fairness, again postpone it till after July, in order to give the Canadian Parliament an opportunity to express their opinion also. If this were done I would ask the House at what time it is likely that the measure would return to us, and in what shape it would return? The truth is that this measure has been brought about only at the sacrifice of great personal and local interests; and when I reflect how great that sacrifice has been, I feel quite astonished at the result which has been attained. A great responsibility would rest on Parliament in this country if they deliberately invited opposition to the measure by remitting the subject again to the colony, and stirring up every dissentient person to come forward and agitate the question. I do not say that this measure is a perfect one, for it is impossible that it could be. There are defects in it, no doubt; but, at the same time, the enormous advantages of the measure so completely outweigh its imperfections that I have no hesitation whatever in pressing it upon Parliament, and in urging that it may be speedily passed into a law. For these reasons I do not feel it my duty to accede in any way to the request of the noble Lord opposite. The Bill passed through the second reading in this House without any substantial objection being made to it, and I trust it will also be allowed to pass through the other House of Parliament.

Lord CAMPBELL said, in explanation, that he had never advocated a further reference to the Assemblies of Canada or of New Brunswick. He did not even think it would be essential to refer to that of Nova Scotia, which would soon be called into existence. The language and the indications of the General Election might alone suffice to point out whether Nova Scotia should be incorporated in the scheme, or left in the position of Prince Edward's Island and Newfoundland.

Amendment (by Leave of the House) *withdrawn:* Then the original Motion was *agreed to:* Bill read 3ª accordingly: Amendments made; Bill *passed,* and sent to the Commons.

House adjourned at Seven o'clock,
to Thursday next, half past
Ten o'clock.

HOUSE OF COMMONS,

Tuesday, February 26, 1867.

MINUTES.]—Select Committee — On Army (India and the Colonies) *appointed.*

Public Bills—*Ordered*—Attorneys, &c., Certificate Duty; Hypothec Abolition (Scotland); Metropolitan Improvements.*

First Reading—British North America * [52]; Attorneys, &c., Certificate Duty [53]; Hypothec Abolition (Scotland) * [54]; Metropolitan Improvements * [55]; Thames Embankment and Metropolis Improvement Loans* [56]; Railway Construction Facilities Act (1864) Amendment * [57].

Committee—Trades Unions Bill * [58].

PARLIAMENTARY REFORM.
REPRESENTATION OF THE PEOPLE.
OBSERVATIONS.

The CHANCELLOR of the EXCHEQUER said: Mr. Speaker—I think it would be convenient to the House that I should take the earliest opportunity with respect to the subject of discussion yesterday of stating the course which the Government proposes to pursue with regard to that matter. The great object we had in view in bringing forward the Resolutions which were the subject of yesterday's discussion was really to secure for the propositions, which we hoped in a legislative form to introduce to the House, a fair and candid consideration. Now, it is impossible to conceal from myself, from the many observations that have been made by Gentlemen of authority in this House, and particularly the right hon. Gentleman opposite, that there is, if not a formal, yet, I would venture to say, a moral understanding and engagement that any Bill which the Government may bring forward on the subject of Parliamentary Reform shall receive a fair and candid hearing. Indeed, the hon. Member for the Tower Hamlets the other night, immediately followed by the right hon. Gentleman, seemed to enter into an engagement that the second reading of the Bill would meet with no difficulty. [*Murmurs, and* "Hear, hear!"] I do not wish to put a severe interpretation upon anything which has been said by Gentlemen in the course of our debates; but, from the spirit of courtesy that has been exhibited by the House, I think it right to take the earliest opportunity of saying that Her Majesty's Government, considering all that occurred in the House yesterday, and with a feeling on their part still that their mode of procedure would be extremely advantageous for the advancement of the question, and every day more and more convinces them of the propriety of the course they took. I say Her Majesty's Government are of opinion that they should best promote the course of public business and their own object in dealing with this question in not asking the House to proceed any further with the consideration of those Resolutions, but to allow me, on the earliest practical opportunity, to introduce a Bill. [An hon. Member: When?] Of course, it is impossible exactly to fix a day. ["Oh, oh!"] The Reform Bill is not like a Road Bill. Considerable preparation will be necessary; but I should really think that probably in a week's time—["Oh!" *and* "Hear, hear!"] I will not make a formal engagement, but my own opinion is that on Thursday week at furthest I shall have the honour, with your permission, of introducing a Reform Bill to this House. [*For the Resolutions see Contents February* 11 *and Appendix.*]

Mr. GLADSTONE: Sir, the right hon. Gentleman having referred to me upon a matter that is of considerable difficulty and importance, I find it necessary to follow the statement he has made, out of the usual order of business, although I do not say out of the discretion which he may be entitled to use under the circumstances—I find it necessary to follow that statement by a very few words, and lest any difficulty may arise on the question of Order, I think this is an occasion on account of the public interest attaching to the question on which I may properly conclude with a formal Motion for the adjournment of the House. As the right hon. Gentleman has made known to the House the intentions of the Government, I cannot avoid saying that great trouble would have been saved if he had announced that intention at the time when the whole reasons for the course, which he is now prepared to take, were placed in his possession by my hon. Friend the Member for the Tower Hamlets (Mr. Ayrton) and by others who followed on that occasion. I am bound also to state to the right hon. Gentleman what, perhaps, he is not aware of, that, some minutes before the announcement he made to the House, I had myself placed in the hands of the Clerk a Motion to this effect, as an Amendment to the Motion that you, Sir, do leave the Chair on Thursday next in order to go into Committee—

> "That Her Majesty's Government, having informed the House of the principal provisions of the Bill which they propose to introduce for an Amendment of the Representation of the People in Parliament, it is the opinion of the House that, under present circumstances, a discussion of the Resolutions now before it must tend to delay the practical consideration of the question, and that it will be for the public advantage that the plan of Her Majesty's Government should be submitted to the House in a definite form."

That Motion does not go so far as the

right hon. Gentleman has gone; because, if carried, it would have left it open to Her Majesty's Government to take their choice between the re-construction of their Resolutions and the introduction of a Bill. But I do not hesitate to express my opinion that the course which the right hon. Gentleman has now announced, of the immediate introduction of a Bill, is the course most advantageous to the interests of the subject. Further, I will venture to say with reference to a momentary expression of impatience when the right hon. hon. Gentleman spoke of the necessary delay, that the delay, whatever it may be, is a delay necessarily inherent in the mode of proceeding which has been adopted, and therefore is a delay for which the right hon. Gentleman cannot be liable to any blame on the present occasion. It is necessary that a certain time should be expended in the consideration of the details of the Bill, and the right hon. Gentleman will, I am sure, take care that such time shall not extend beyond what is absolutely necessary. I wish to cause no misapprehension to the right hon. Gentleman or anybody else with reference to the other important topic to which he adverted when he said that he had obtained from my hon. Friend the Member for the Tower Hamlets and myself something like an engagement that no opposition would be offered to the second reading of a Bill if introduced by Her Majesty's Government. With respect to that point, I must say that anything which tends to compromise or limit the discretion of Members of Parliament in any matter of proceeding is too important to be left a subject of misconception of any kind. I will therefore recall to the mind of the right hon. Gentleman exactly what took place. The question raised in the speech of my hon. Friend the Member for the Tower Hamlets, and in the remarks which I ventured to make, was not the question of opposition to the second reading of any Bill introduced by Her Majesty's Government in the usual and ordinary manner; but it was a question whether a particular point in some portion of that Bill was to be selected and embodied in a Motion, and then made the means and occasion of opposition to the second reading of the Bill. That was the immediate question in discussion, and I am desirous of not being misunderstood. I state this in vindication of my own liberty of action, and that of every Gentleman on this side of the House who could be presumed, in the slightest degree, to be interested or concerned in any remarks that might have fallen from the hon. Member free the Tower Hamlets and myself. It is our duty to preserve our discretion free and unfettered as to the Bill of Her Majesty's Government when presented to us—inasmuch as it must necessarily come before us in a form far more developed than it could possibly have been in the speech of the right hon. Gentleman. It will be our duty, as Members of Parliament, in a matter of so much importance, deliberately and advisedly to make up our minds whether we can consent to the second reading of the Bill or not. Thus far, however, I will go. I will express a confident hope, and further, a very earnest and sincere desire, that we may find that Bill to be such that we cannot only assent to it, but even promote and expedite its passage through its earlier stages, so that if it be conducive to the public interest, we may join issue with Her Majesty's Government on those subjects, be they many or few—and that is a point upon which at the present moment I cannot give an opinion—upon which we may, unfortunately, be compelled to differ from the conclusions to which Her Majesty's Government may have come. For that purpose the Committee would evidently be the place. I admit that there are many circumstances in which, when great differences of opinion prevail and numerous and important Amendments are likely to be proposed, so as, if accepted, to be calculated to give an entirely different character to the Bill, it is often convenient that, without waiting for the Committee, issue should be joined on the second reading. But that is a question on which entire liberty of action should be reserved to us all. I shall be glad, however, if we arrive at a conclusion that the second reading may be supported, and that our differences may be brought to issue on the discussion of clauses in Committee.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Gladstone.*)

Mr. BRIGHT: As the right hon. Gentleman the Chancellor of the Exchequer is in the mood for receiving advice from this House, I rise for the purpose of making a suggestion which some Gentlemen on this side may disapprove, and to which many Gentlemen opposite may think it is not in their power to accede. Still, I believe no wiser suggestion in favour of efficient

Parliamentary proceeding in a great question was ever offered to the House. I wish to recommend to the right hon. Gentleman to consider whether the advice which I gave to the Government of Earl Russell a little more than a year ago would not be wise advice for him to take—that is, to introduce his Franchise Bill by itself. I promise hon. Gentlemen opposite that if the right hon. Gentleman will do so, I will not read to them any portion of the speech made by the noble Lord the Member for King's Lynn (Lord Stanley) last year. I make the suggestion with perfect honesty and sincerity, believing that it would be greatly to the interest of Parliament, and also that it is the duty of the right hon. Gentleman to take that course. What is it that you want particularly? Apart from the question of what is good in Parliamentary Reform for the whole nation, and in which every class may be said to be equally interested, you have this other special thing that you want. You want to remove an acknowledged grievance on the part of the excluded working classes. Suppose that the question of seats is not meddled with this Session, or next Session, or even the Session after that, yet we may all be conscious that it is a question that will sometime have to be dealt with. But it is not a question that creates differences between one great class and another. No class has any special grievance with respect to that particular evil in our representation. But the other question, that which refers to the exclusion—and notwithstanding the figures on the table, practically the almost total exclusion of the working classes—is a very different question; and I venture to say that every day that it is left unsettled it is charged with evil to all classes in the country. Take the Bill of the right hon. Gentleman as he sketched it last night. The universal feeling in the House, I think, is, that the plan on which he proposes to deal with the question of the re-distribution of seats is very incomplete and very unsatisfactory. It is as bad, at any rate, as the plan which was offered to us last year. Whether it is worse or not, I will not undertake to say. It is so bad, that I am quite sure that any time which the House might expend upon it, with a view to make a Bill of it as it is, would be time wasted, and it is one of those questions which the House would find the greatest possible difficulty in altering either in the Resolutions, which have been withdrawn, if it had been included in these Resolutions, or in the Bill which is to be submitted to the House. In fact, I do not know how we could, wishing to improve a Bill, really make anything useful out of the re-distribution plan which the Government has submitted to the House. Why should we not take the course of dealing with the franchise first? There were quotations made last year from what pretended to be a speech of mine, in which I said that if the franchise were extended, Parliament would be more popular—I hope it would—and that there would be a better leverage afterwards to deal with the questions of the little boroughs. Does not the right hon. Gentleman at this moment wish he had some leverage by which he could deal with those little boroughs? Are there not now in this House hon. Gentlemen who, if they sat for other constituencies, would wish the Parliamentary representation of such little boroughs exterminated? We have all an interest in getting rid of the representation of those little boroughs, and distributing the Members, whether amongst counties or large boroughs, at least amongst free and independent populations of the country. Such representation is bad for the Members of the House, and it is corrupting and evil to the little boroughs themselves. But you find every time when a Bill is brought in on the suffrage, as was done last year, and as is to be done this, it is clogged with this additional difficulty. When you have the chance of settling that paramount question of uniting the non-voting class with the present voting class, you have not the common sense to do that which is most wanted, which is the work of the hour and lies in your way. Why not leave for a subsequent Session—for two or three, or even half-a-dozen Sessions, or till after a General Election if you like—I am not at all particular as to time—the other question. I say, in the name of all that is patriotic, you ought to make up your mind to settle this question of the franchise without reference to the question of the re-distribution of seats. I have only noticed what I said in a public speech, for I had no communication with Lord Russell or the right hon. Gentleman the Member for South Lancashire. I should have said it if this Government had been in power, and I say it now because I am satisfied it is the wisest course to pursue in this matter. The right hon. Gentleman and his Colleagues will find their course infinitely smoothed by adopting the advice which I give them in all frankness. If he will make a change now—and he may do so with the utmost consistency, considering the many changes that at the present moment are said to be taking place—he may bring in a Bill in such a shape that there will be no disposition on this side of the House to contest the second reading; and in Committee there would be so few points to settle, that some hope might be entertained of its passing the House. But as to the Seats Bill, it is so unsatisfactory, so incomplete, so ridiculous for all purposes, that by bringing it forward at the same time you would be only clogging a matter which is absolutely necessary and may be done, with a thing that is not so necessary and cannot be done. I say, therefore, that to deal with the two together is not a statesman-like mode of dealing with this question. I have relieved my conscience by making this statement. The right hon. Gentleman will believe me that I give the advice from an honest wish and conviction that as we are in a difficulty on this question, every man should, if he can, help to smooth the way out of it, and enable us to do something satisfactory to the great body of the people. The right hon. Gentleman having received so much courtesy and so many kind offers from the right hon. Gentleman the Member for South Lancashire, I have shown him this courtesy and made him this offer. After the many difficulties which hon. Gentlemen opposite have got into since the meeting of Parliament, I am not quite sure that they may not take a little advice from this side of the House, and I believe that what I have suggested will smooth their course as much as any advice that has been hitherto given them. The right hon. Gentleman, I hope, will consider it between this and next Thursday, for it is quite clear that if he cannot bring the whole Bill in next Thursday, he will be able to bring half of it in, and we may have a fairer and better Franchise Bill if he would devote his whole attention to that particular branch of the subject.

LORD JOHN MANNERS: Sir, the hon. Member for Birmingham having, on former occasions, assumed a monopoly of honesty on this question of Reform, I am not surprised that on this occasion he should go a step farther and claim a monopoly of wisdom. He knows that he has not the slightest chance of being supported by the great body of Gentlemen who sit on his own side of the House; but he is nevertheless so persuaded of the wisdom of the course suggested, that he does not hesitate to recommend it to my right hon. Friend. It is not, however, new advice. It is advice which a former Government adopted. Strange to say, the hon. Gentleman forgot to tell us the result of that advice. I should like to know Earl Russell's opinion of the advice which was given to him. Perhaps the hon. Gentleman, before we adopt his recommendation, will allow us to ascertain whether Earl Russell is satisfied of the wisdom of the advice on which he acted last year. The hon. Gentleman went on, in a mode which is rather inconsistent with the speedy despatch of public business, to discuss at considerable length the proposals of Her Majesty's Government with respect to the re-distribution of seats. I will not on this occasion follow so very inconvenient an example. I will only say we are of opinion that our scheme is one which can be sustained by argument when the proper time comes. It does not appear to Her Majesty's Government that the course which the hon. Gentleman suggests is more likely to be successful now than it was last year. I hope, however, the hon. Gentleman will not think that we are receiving his advice in any other spirit than that in which he offered it.

Motion, by leave, *withdrawn.*

IRELAND—EMPLOYMENT OF THE IRISH CONSTABULARY.—QUESTION.

THE O'DONOGHUE said, he wished to ask the Chief Secretary for Ireland a Question relative to certain alleged proceedings of a large police force under Sub-Inspector Gilpin, in Dingle, on the 15th instant?

LORD NAAS said, in reply, that the statement in the newspapers was not altogether correct. Sub-Inspector Gilpin exercised his men in the street, but he was informed that there was no firing on the occasion. The County Inspector and the Inspector General had, however, expressed their disaproval of this proceeding.

SCOTLAND—COLLECTORS OF TAXES.

QUESTION.

MR. E. CRAUFURD said, he wished to ask the Secretary to the Treasury, Whether there is an intention of making a change in the office of Collectors of Taxes and Distributors of Stamps in Scotland by transferring the duties to officers of Customs or Excise, or otherwise, as vacancies occurred in the present appointments?

Mr. HUNT: In Scotland, Sir, distributors of stamps are also collectors of taxes, which is not the case in England. It has within the last three or four years been the practice, upon the occurrence of vacancies in distributorships of stamps in towns where there are collectors of Excise, to transfer the duties discharged previously by the distributors of stamps to the collectors of Excise. In Scotland this arrangement has at present only been effected at Dumfries and Glasgow; in England it has been carried out in fourteen places, and the change will be carried out throughout the United Kingdom as opportunities offer. It is not the intention of Her Majesty's Government, as at present advised, to transfer the duties of distributors of stamps and collectors of taxes to officers of the Customs Department.

STORM SIGNALS OF THE BOARD OF TRADE.—QUESTION.

Colonel SYKES said, he would beg to ask the President of the Board of Trade, Whether he has received Memorials or Communications from the Meteorological Society of Scotland, mercantile bodies at Leith, Glasgow, Dundee, Aberdeen, and Edinburgh, or from any of them, or from other bodies in Great Britain or elsewhere, respecting the discontinuance of Storm Signals by the Board of Trade, and whether he will lay such Memorials before the House; whether he has considered the greatly increased cost of the proposed plan of sending Meteorological data by telegraph to seaports, instead of a short recommendation as heretofore from the Board of Trade to "hoist storm signals;" and whether the proposed plan may not prove abortive in many instances from the parties at the ports not being "experts" in the interpretation of meteorological phenomena?

Sir STAFFORD NORTHCOTE: Sir, the Board of Trade has received various memorials and communications from several mercantile bodies on this subject, but I am not aware that direct communication has been received from the Meteorological Society of Scotland. I have no objection to produce all the memorials that have been received. The purport of them has been correctly described by the hon. and gallant Member; they are all expressions of regret at the discontinuance of the signals. With regard to the probable cost of the proposed plan, I may mention that the committee of the Royal Society proposes that the information spoken off should be given to those places which may express a wish to have it, and are willing to bear half the expense of the communication. No applications have yet been received, so that I can hardly say what the probable cost would be. With regard to the third part of the question, it is not probable that any place would be willing to bear half the expense of the information unless they had the means of properly interpreting the local phenomena of the district; and the committee of Lloyd's Society are of opinion that the plan proposed is the most likely method of carrying out the object in view.

Mr. M. T. BASS said, he wished to know, whether it would not be advisable to erect some midland station as well as the stations on the coast?

Sir STAFFORD NORTHCOTE: I am not aware that this point has been particularly brought under the notice of the committee, but I will draw their attention to it.

IRELAND—WATERFORD COUNTY ELECTION—THE 12th LANCERS AT DUNGARVAN.—QUESTION.

Mr. Serjeant BARRY said, he would beg to ask the Secretary of State for War, Whether, having regard to his answer on Thursday last (to the Question of the hon. Member for Tralee), to the effect that if the sixteen men of the 12th Lancers had broken away from the control of their Commanding Officer and had charged along the Quay of Dungarvan he (the Secretary of State for War) should consider further inquiry necessary, it is to be understood that, notwithstanding the sworn testimony of the witnesses on both sides before the Coroner, the official Report of the Officer in command denies that the sixteen men charged along the Quay, or, if they did charge, denies that they did so without orders; and whether the Officer has given, or has been required to give, any explanation to show how stabbing through the breast with a lance Harbour Master Keily, who admittedly was not one of the mob, and was standing near the door of his dwelling at a considerable distance from the scene of alleged stone-throwing, was, in the language of the Report, "unavoidable?"

General PEEL: Sir, in my answer to the Question put to me on Thursday, I read a verbatim copy of the official report of the officers commanding the 12th Lancers at the affair in question, which concluded by saying that "the men carried out the orders of the magistrates, communicated to them through him." With regard to the latter part of the Question of the hon. and learned Gentleman, the officer in command has reported that he was on the other side of the bridge at the time in question. Any question arising out of the finding of the jury would be a matter for civil inquiry, and if the hon. and learned Member puts any question respecting it to the Law Officers for Ireland they will be able to give him an answer.

Mr. Serjeant BARRY said, he would call the attention of the House to the subject on another occasion.

RIOT AT WOLVERHAMPTON.

QUESTION.

Mr. WHALLEY said, that he begged to ask the Secretary of State for the Home Department a Question of the greatest importance, of which he had not had the opportunity of giving him any notice, as to Whether any communication has been received from the authorities of Wolverhampton in reference to certain Roman Catholic riots that have taken place there, and whether he has received any explanation from the stipendiary magistrate of the town on what grounds he had refused protection to a gentleman there—Dr. Armstrong—a gentleman of high position, who appealed to the Magistrates publicly for protection against the rioters, and was publicly refused it? In justification of this assertion he (Mr. Whalley) held in his hand a letter from the district, saying that in consequence this gentleman had received several threatening letters from persons who signed themselves Fenians, and he had written to him (Mr. Whalley) in a state of genuine alarm that these threats would be carried into effect. He attributed it to the fact of his having been publicly denied protection by the Stipendiary Magistrate.

Mr. WALPOLE: Sir, I have only to inform the hon. Member that I received no communication from the stipendiary magistrate with reference to the riots or to the particular matter involved in the

Question of the hon. Member. If he had been good enough to give notice of those Questions before coming down to the House, I could have made inquiries at the office if any communications had been received up to the moment of my leaving.

Mr. WHALLEY said, he had only received the information since he entered the House.

PRINCESS OF WALES—REPLY OF HER MAJESTY.

The Comptroller of the Household *reported* Her Majesty's Answer to the Address, as follows:—

"*Your loyal and dutiful Address on the Birth of the Princess, My Granddaughter, has afforded me much satisfaction; and I thank you for the renewed assurance of your attachment to my Person and Family.*"

ARMY (INDIA AND THE COLONIES).

MOTION FOR A SELECT COMMITTEE.

Major ANSON said, that after the military events of last year no apology seemed to be required for bringing under the notice of the House the duties performed by the British army in India and the colonies. The Indian and colonial duties of the British army were very different from the duties performed by the armies of other nations, and were the main reason why it was more expensive and less fit for the purposes of war than the army of any other country. Our Empire was composed of a larger number of different races — many of whom were of a warlike character — than any other Empire in the world. We were also more scattered than any other nation. It was often said on the discussion of these questions that the British army was an army of defence, and not of aggression. He did not object to the term "army of defence," but only to the spirit in which it was used. The army had many duties to perform other than the defence of this country. In the first place, the defence of Canada and the North American colonies must mainly depend upon the British army, although, no doubt, they would receive a loyal and gallant assistance from the militia and population of Canada in the defence of a frontier of 1,000 miles in extent. The maintenance of our maritime supremacy must also depend upon our garrisoning with a sufficient force such places as Malta, Gibraltar, Halifax, Bermuda, the Mauritius, and other places which it was necessary to garrison for the refuge and provisioning of our fleets. The British army was also necessary for the defence of commercial communities, such as China, the Straits settlements, the West Indies, and colonies like New Zealand, the Cape of Good Hope, Australia, &c. In those places, in case of a war with a great maritime Power, so far from—as was the general impression — our being able to bring reinforcements from those colonies to the mother country, we should, on the contrary, be obliged to send reinforcements from the mother country to those colonies and military dependencies. That would entail an enormous amount of duty on our army in time of war. In the late Russian war it was very different, because we were able to shut up the fleets of that country in their own harbours; but in the event of any future war with a great maritime Power we should find circumstances greatly changed. He now came to the case of India. The duties to be discharged there by the British army were even more onerous than in the case of the colonies, and the importance of them could hardly be exaggerated. Years ago, when we were consolidating our power in that country, a large Native army was absolutely necessary. We had little or no fear of mutiny or disaffection in its ranks—in the first place, because we kept it actively employed, and next, because we kept alive the feelings of hatred and animosity among the different races and castes. But when the Punjab had been annexed, and a period of peace came, the Native army sank into a state of idleness. The English army had been greatly reduced; the Native army had gradually begun to feel its power, and the Government of India felt its power also. The consequence was that the bonds of discipline gradually relaxed in the Native army, which finding itself in possession of all the great fortified places and artillery of the country, felt that it only had to stretch out its hand and snatch the power from us. During the Crimean war rumours of disaster to our arms began to be spread about in India, and the result was that the lethargy which overtook the administration there after the consolidation of our power was rudely broken upon by the great Mutiny of 1857. A great many persons had tried to explain the causes of that mutiny, which he thought was, perhaps, the most natural occurrence that had ever taken place in the history of the world. They had been told by various authorities that the real cause of the mutiny was the injustice of our rule in India, our denial to the Native Princes of the right of adoption, our interference with their religious feelings and customs, the land question, and, last but not least, our policy of annexation. If these authorities were right in their conjectures, the Native army would have been backed up by a popular rising or by the Native Princes. But, on the contrary, with the exception of a very few small districts and a few robber chiefs, there was no popular rising of any kind. Others, again, had attributed the mutiny to the issue of greased cartridges to the troops, which so insulted their feelings that they thought it necessary to rise, because they feared they were to be forcibly converted to Christianity. If that had been the real cause, the population would have broken out into rebellion, too; because, if the army were convinced that it was intended to convert them by force to Christianity, they certainly would have had the support of the people. The Returns he held in his hand were quite sufficient alone, without going into anything else, to account for the mutiny of the Bengal Army. It appeared from the Adjutant General's Returns for 1857 of the numerical proportions and local distribution of the Native army and the British troops respectively in Bengal and the North Western Provinces of India in that year, that an enormous disparity then existed between the strength of the two forces. In the seven divisions, from Calcutta to Peshawur, we had 195,000 Native troops and 17,000 British troops. In the Lahore, Scinde, and Peshawur division, there were 12,000 British troops to 70,000 of the Natives. In the Meerut, Cawnpore, Presidency, and Dinapore division, there were 5,000 British troops to upwards of 90,000 of the Natives; and in the Cawnpore division there were 35,000 Native troops to only 1,500 British soldiers. Those figures were quite enough to explain the cause of the mutiny. His object in reverting to the time of that outbreak was to impress on the House the real danger they had to fear in India. Until this country had accomplished its mission in India, until we had educated and civilized its inhabitants—which it was our duty to do without reference to the consequences to us—until we had taught them to govern themselves, there was no fear of any danger to our Empire from anything except the Native army which we had raised, trained, armed, and disciplined ourselves. No doubt things had greatly changed since 1857. At present we had a very much smaller Native army in India than we had then, and on the other hand a much larger force of Europeans. At this moment there was not the slightest danger of a rising in the Native army there. But we ought to look at the position we must hold in that country in case of war, and of any great strain being put upon our military power at home. At present we had to maintain an army of 65,000 men in India in order to keep that country quiet, and overawe, as it were, the small force of Native troops which we had now. But in time of war we should be obliged to draw largely from that force of Europeans. In the present day, when communication between Europe and India had become so rapid, and in India itself was being so quickly developed, India would vibrate much more to the occurrences in Europe than she had hitherto done; and those who possessed in that country the power to disturb us there would be more likely to take advantage of their opportunity than they ever were before. The duties the British army was liable to perform in time of war were not small. Moreover, the enormous amount of foreign duty it had to perform at all times was a serious drawback to it during peace. There was a curious circumstance to begin with connected with the British army, and that was that the influence of age upon the mortality of the soldier increased from the time he entered it, while in most other armies it decreased up to some ten or twelve years' service. The last Army Sanitary Report furnished an illustration of this. He need hardly point out to the House that the great amount of tropical service performed in India, China, the Mauritius, and other places, must have a very serious effect on the physical condition of our soldiers in case they had to undertake a hard campaign in Europe. It was utterly impossible to expect these men to compete in marching with foreign troops who spent their lives in their own climates. That was a very important matter when they thought of the enormous amount of foreign work which our soldiers had to undergo. But it had also a very serious effect upon recruiting for the army; for it was absurd to say that our soldiers liked the idea of being banished to an unhealthy climate, where the chances were almost ten to one in favour of their being either ruined in constitution or dying. It likewise had a very bad effect in preventing a better class of men from entering the army—a most important consideration in the present day, when they were applying science to the art of war at the rapid rate they were now doing. Another point, though he did not like to say much about it, was this—that a great number of officers were sent, during the best years of their life, to out-of-the-way places, where they had nothing whatever to interest them. They were not so likely to get a large proportion of good officers, if they were to be so long banished, as they were now, from the centres of civilization. In the first place, therefore, it must be felt that it was desirable to do something to diminish the immense amount of foreign service undergone by our army in time of peace, and, in the next place, to diminish the duties it would have to perform in time of war, so as to be enabled to reduce with some safety, and utilize elsewhere, the enormous European force now locked up in India. The way to do that would be by utilizing the Native army in India, and by putting it for foreign service upon the rota with the English army for colonies and places where the climate and the duties to be performed were suitable to the constitutions and mode of life of such Native troops. He would refer to those colonies in which Native troops might with advantage be employed. He would first touch upon China, because we were able, from having employed Native troops, to form an opinion as to the advisability of using them generally. During the fourteen years from 1850 to 1864 the loss in China was, of European troops, 1,300 dead, 2,500 invalided, out of an annual average force of 1,300 men. The whole force had been sacrificed three times over in fourteen years. This was a scandalous waste of our soldiers for no purpose whatever. In the three years preceding 1864 Native troops from India had been employed in the most beneficial way. The mortality in China of white troops was 57 per 1,000, whilst that of black troops was only 23. The proportion of white troops invalided was 57, whilst that of the black troops was only 27. The proportion of white troops constantly sick was 74, whilst that of the black troops was only 49. The influence of age on the mortality ran up, in the case of Europeans, in twenty years, from 40 to 118; whilst in the case of the black troops it decreased from 31 to 28. These statistics clearly established the inference that black were, so far as health was concerned, more useful than European troops in China. When the black troops were withdrawn an epidemic set in among the Europeans, because they had to perform duties which were previously performed by the former; that course having been taken without the opinion of a single officer who had served in China having been asked as to the propriety of the step. The result was that the white troops had been so reduced by the epidemic as to have been rendered perfectly useless. There were, however, two objections made to the non-employment of European and the employment of black troops in China. The persons whose wishes seemed for the most part to be consulted on the matter were the Chinese merchants, and they seemed to be of opinion that they would not be safe if left to the protection simply of Native soldiers. His answer was that there was hardly a Chinese merchant at Hong Kong who had not, in all probability, two-thirds of his capital at Shanghai, where there were no European soldiers at all, and not even an English fleet. The same might be said of Singapore, where the population was infinitely worse than that of Hong Kong. But if it is absolutely indispensable to employ some Europeans there, their numbers might be so small as to enable the authorities to take such care of them as to obviate the effects of the climate. In case of a foreign attack on our Chinese settlements, their defences must entirely depend on naval defence. It was true that the Government had raised local corps for service in China and Singapore; but in case of war in China, Japan, or the Malayan peninsular, we should have to fall back on the Indian army as we did in 1860, and your forces ought to be always adapted, in time of peace, to the duties they would be called on to perform in time of war. Passing from China to New Zealand, where we still kept up a regiment of European troops—the only object being that they should help the colonists in their bush-fighting—he maintained that such work would be done quite as efficiently by a regiment of Native troops from India. As to Australia he should never dream of sending black troops among an Anglo-Saxon population; but he did not see why we should keep there and at New Zealand 4,000 soldiers, at an expense of £127,600, when there was no reason why we should spend a single sixpence for the purpose. Taking, in the next place, the Mauritius, the House would find, from the evidence which had been taken before the Select Committee on the Military Expenditure for the Colonies, which sat in 1861, that Sir John Burgoyne stated, in answer to the question how many men it would take to defend the fortifications erected there at a cost of £200,000, that 6,000 men at least would be required. Was it likely that we should at any time send out such a force from this country to garrison the Mauritius? The money spent on these fortifications had been literally thrown into the sea. The only way in which they could be garrisoned would be by the employment of Native troops from India, who might defend the fortifications in the event of any sudden and temporary attack. Again, at the Cape we still kept a large force for the purpose of protecting the frontier; but that duty also, could be performed most efficiently by Native Indian troops. Other reasons were assigned for having a large force at the Cape, one being that we by that means provided a sort of army of reserve for India; but we ought never so to reduce the European force in that country, or the Native troops so increase, as to make it a matter of vital importance for us to be able to secure the service of two regiments from the Cape. It should be borne in mind that we were every day getting practically nearer to India than the Cape itself, and that it would be easier to despatch troops from home in the event of their being required than from the Cape. The idea, however, prevailed that it was desirable to keep up in the colony a force of European troops, so that we might be able to draw upon it in the event of pressure here in time of war; but it would be just as well, considering what a future maritime war would be, to maintain a large station in the Arctic regions with that object as at the Cape of Good Hope, as it would be doubtful whether any large body of troops from there would ever be allowed to reach this country. He came next to the West Indies, where we spent something like £300,000 in providing a mere police. We had there a large black force, and a large European force to guard them, and it was desirable that some alteration in that state of things should be introduced, for it was a system useless in time of war, and therefore expensive in time of peace. He did not see why troops should not be brought from India. As to Malta and Gibraltar, it would be well that we should be in a position to reinforce those great garrisons from our Eastern Empire as well as from the West. The duties which were there to be discharged were admirably adapted to Native troops, who could fight well behind stone walls. The state of those great fortresses showing what power this country had for keeping the highway between England and India, would have a very considerable effect on the impressionable mind of the Native army in India. In the last campaign in China, in 1860, our gallant allies, the French, not having the enormous resources of a country like India to turn to, were not to be compared in efficiency to the British troops. A very favourable effect as to the power of England was thus produced on the minds of the Indian troops. Having pointed out the way in which the duties of the British army might be lessened, the military power of this country consolidated and strengthened in time of war, and this country relieved from serious anxiety in respect to India, he would now proceed to consider the various objections which might be urged to the plan. It might be said that it would lead to an increase of the number of British troops at home; but he thought that the saving effected by the employment of Native troops as he suggested would enable the country to increase to a certain extent the number of troops at home. One great object should be to keep our troops at home for half their time, and this could only be done by curtailing the duties they were now called upon to perform. It might be said that it would not be safe to employ the Indian troops in the colonies; for if there were fears of their mutinying in India it might also be dreaded that they would mutiny in the colonies. There was a great difference, however, in the circumstances of the two cases. In India the Native troops lived in the midst of a sympathizing population, and had an opportunity to mutiny; but if sent from their own country to isolated stations there would be no chance of mutiny, for they would know that the only means by which they could hope to return again to India would be by the employment of British ships for the purpose. It might be objected, perhaps, by the colonies that it was not desirable for them to have Indian troops; but the fact was that those troops were better behaved than European troops. They seldom, or never, gave way to drunkenness, and, consequently, instances of crime were comparatively few among them. It might be objected that his proposition amounted to a proposal for the employment of mercenaries. At the time of the Crimean War, when this country was hardly pressed for troops, search was made in the back slums of Europe in order to make up that wretched force called the Foreign Legion. It would have been much better to have had recourse to those races which were subject to the rule of England than to have gone a begging for soldiers in the cities of Europe. There were other objections to the plan he proposed, connected with the difficulty of recruiting in India for this purpose, and the amount of pay and pensions to be granted; but these were matters which might be left for the consideration of the Select Committee. He believed that the plan he had sketched would, if adopted, lead to a very great saving in the military expenditure for colonial purposes, and be the cause of an enormous increase of strength to the country in time of war. He likewise thought that it would tend to remove a great source of anxiety in India, and give this country far greater power and control over the Native Indian army. In 1856 and 1857, before the great Mutiny broke out, there were certain regiments which showed symptoms of disaffection. The authorities, not having the courage to punish them severely, caused them to be paraded and addressed on the enormity of their offence. Then they were disbanded, the discharged soldiers being allowed to return to their own districts, there to sow the seeds of discontent. Should it be argued that if Indian troops were wanted in case of war in Egypt or elsewhere we could always obtain them, his answer would be that no system would be efficient in time of war that was not carefully organized in time of peace, and that in matters of this sort we ought not to trust to the chapter of accidents. Under his plan, in case disaffection appeared in any regiment, the disaffected troops might be marched down to Calcutta and embarked for duty in some other region. Should it be objected that it would not be advisable to withdraw Native Indian troops to the colonies, as their services might be required in other parts—in Egypt, for instance, he replied that it was impossible to have any efficient system unless it was previously organized in time of peace. In the case of a European war our colonies must mainly depend on naval defences, and the nature of the troops employed would be a matter of very little importance. He deeply felt the importance of the subject, and his object was to draw attention to our military system in the colonies and in India, which contained the greatest seeds of danger to ourselves and those who were dependent upon us.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the duties performed by the British Army in India and the Colonies; and also to inquire how far it might be desirable to employ certain portions of Her Majesty's Native Indian Army in our Colonial and Military Dependencies."—(*Major Anson.*)

Mr. O'REILLY said, he had an Amendment to propose, which would not clash with the proposition of the hon. and gallant Gentleman, but rather enlarge the scope of the inquiry. He proposed to add to the Motion the following words: "or, to organize a force of Asiatic troops for general service in suitable climates." Three objections had been urged to the employment of Native troops. First, that the distinction of caste and religion prevented their employment out of their own country. Secondly, an interference with the Indian army, as to pay, and rate of service. Thirdly, that it would be interfering with the control of Parliament, over the whole force employed. If we wished to employ Indian troops in our other colonies, we might either take the whole Indian army, as it existed, and put it upon the general Establishment, or we might take a branch of that army, and deal with it in that way, or we might organize another special Asiatic force. The words he proposed to add to the Motion would only extend the scope of the inquiry. It was surprising that the subject had never been brought forward before, for he did not believe there had ever been another instance where a country had spread forth its Empire, from one small centre, over a great part of the world, and held its foreign possessions by troops recruited from the home soil only. France, with its comparatively small African territory, had organized African troops. When Spain conquered so large a portion of Europe, did she hold these possessions by Spanish troops only? No. She had her Walloon Guards and troops of every country subject to her arms. And when Rome had Empire over the entire circuit of the known globe, did she ever think of recruiting her legions from the Roman soil alone? No, she took advantage of the military capacity of every people to supply what the limited soil of Italy could not afford. There was a difficulty, and it increased, in recruiting for the small army which we maintain. The drain upon our population for European troops was enormous. In May last we had 203,568 European soldiers under arms; 86,999 of them being in Great Britain, distributed in this manner:—There were 6,195 men in our household troops, 58,000 in complete regiments and battalions, and 22,800 in depôts and detachments. He might here urge that we had had an unnecessary number of depôts, and that a true economy might be found in diminishing the number of our European troops abroad and the number of our depôts at home. In India we had 51 battalions of European infantry, and 11 regiments of cavalry, containing 63,600 men; in our two great garrisons in the Mediterranean we had 11,300 troops; at the Cape and St. Helena, 4,300; in New Zealand and Australia, 5,700; in China and Japan, 2,275; in Ceylon (exclusive of local corps), 980; in the Mauritius, 1,800; in Canada, Nova Scotia, and our North American provinces, 12,300; in the West Indies, 3,000; and on passage, 5,000. In addition to these, having found our home troops insufficient for the colonial service, we had, on emergency, and to stop a gap in time of danger, here and there, organized local corps, and of these there were in the West India regiments, 3,000 men; in the Ceylon Rifles, 1,200 men; of Canadian rifles, 1,200 men; and of Cape rifles, 500 men. He doubted whether it was conceivable to imagine a worse system of supplying troops for colonial service than that of raising local corps in the manner now adopted. It was admitted that our army possessed great advantages in the variety of service it saw, and its chance of active service in every part of the globe. On the other hand, a colonial corps remained in one place, it could never meet any enemy but a local one, and the officers, deprived of the prospect of a distinguished career, must settle down to perpetual expatriation from their country, and the command of a corps, in which they could never rise, beyond the rank of lieutenant-colonel. It was almost impossible that such a corps could attain distinction in military service; and yet such a corps was to be organized for China, and officered by officers on the half-pay list. Could men, who had the prospect of spending their lives in China, be expected to enter, heart and soul, into their military duties? It was impossible that a corps, thus irremovable, should attain to a state of satisfactory efficiency. We had, on all stations, home and foreign, of European troops, altogether 197,000 men to deal with. Of these, we had at home 40 battalions, leaving out depôts; and, in India and the colonies, or on passage, 100 battalions; the practical result being that we condemned our troops to ten years abroad, in unhealthful climates, for five at home; and even these terms, with them, we did not keep. The House might conceive what a check it was to recruiting, to have such prolonged service in such climates. He suggested that a force of Asiatic troops should be raised for employment in our colonies—for instance, three out of eleven battalions of troops employed at our Mediterranean stations might be composed of Asiatic soldiers, and probably eight more battalions might be substituted for a similar number of battalions of Europeans in our Asiatic colonies. We had a number of colonies stretching together in one long line on the map, from the Cape to the top of Japan. Next the Cape was the Mauritius; then our possessions (at present nearly ungarrisoned) in the Red Sea; then (leaving out our Indian possessions) Ceylon, Singapore, Borneo, Australia, and New Zealand, China and Japan. We might economize our troops to the greatest possible extent, and meet the difficulty of recruiting by rendering service less distant and onerous. There were two immense elements of management, of increasing force every day, which we might very well employ for such a purpose—the telegraph and our improved means of steam transport. If hon. Gentlemen would look to the Report of the Committee of last year on Indian Communications, they would see that the submarine telegraph would soon extend throughout the whole line of our possessions in the East to which he had referred, and practically all those possessions would become one vast military position. His Royal Highness the Commander-in-Chief, in his evidence before the Commission on Recruiting, said that he was most favourable to the employment of Asiatic troops, but that there must always be a backbone of European troops to support this system. But where was this backbone to be placed? Singapore was a good central point for the whole China seas; it was a healthful place besides, and any number of troops desirable might be retained there. Was it not plain that the way to use our troops with most economy and efficiency was to reserve the European portion for the backbone of our strength, to keep them in healthful places, and to supplement them by Asiatic troops in the more distant stations, the telegraph and steam transport giving efficiency to the system? Take, therefore, Singapore as a central point, particularly healthy for Europeans, where we had at present only some two companies of Europeans, with six of the Ceylon Rifles. Measuring distances by the days occupied in steaming, the distance from Shanghai was only about twelve and a half days; Japan, thirteen; and Ceylon, ten. By means of the telegraph and the new Indian transports, in course of construction, troops could be moved as far even as Japan certainly in less time than a month. On the other side, the distance from Point de Galle to Suez was sixteen days, and on to the Cape twenty-six days. Make this line the backbone of colonial defence supplied with Asiatic troops, and we should likewise be strengthened by keeping in practice our main defence—the navy, which suffered from the want of movement, and of employment on different stations. Was it not time to look at this question in a large and comprehensive spirit, and to organize our forces on a system which might be applied to the general advantage of the Empire? When the war in China first broke out troops were borrowed from the Indian establishment. That was felt to be wrong, and successive Secretaries for War appeared to think it unconstitutional. He believed the first to say so was the right hon. Gentleman opposite, and so it went on until the beginning of last year, when one Secretary for War took courage and sent Europeans to China, and the fatal result was seen in the destruction of two battalions of European troops. What successive Secretaries of State were to be blamed for, was endeavouring to tide over the difficulty and to live from hand to mouth, thinking, perhaps, that the system would go on without breaking down as long as they should remain in office. He was not in favour of removing the responsibility from the Advisers of the Crown as to the proper way of dealing with the question.

Amendment proposed, at the end of the Question, to add the words, "or to organize a force of Asiatic Troops for general service in suitable climates."—(*Mr. O'Reilly.*)

MAJOR DICKSON said, he thought the House was much indebted to the hon. and gallant Member (Major Anson) for bringing forward the question; for the opinion of an officer who had seen so much service, and was so well acquainted with the manners and customs of the Natives of India, was entitled to great weight. Considering our voluntary system of enlistment, the increasing demand for labour, and the advancing rate of wages, it was high time to inquire whether the population of this country were able to bear the annual drain which was required for the defence of India and our colonies. England owned her position as a first-class Power mainly to her dominion in the East, her vast dependencies, and her increasing commerce; and if in any extremity we were unable to defend our possessions and protect our commerce, she would necessarily sink to the rank of a second or even third-rate Power. It was sometimes argued that our ancestors having been able to dispense with extraneous aid in upholding our national honour, we ought to do the same. But from the time of Lord Clive to the Mutiny of 1857 we had held India by the employment of Native troops. In 1857 we had in India no less than 235,000 Native soldiers, the European forces numbering only 22,000 Queen's troops, and 14,000 Company's troops. At the close of the Crimean war also we were obliged to raise a foreign legion, though he believed that had that legion been brought into active service its exploits would not have justified the outlay which had been expended upon it. Even if our ancestors found themselves able to protect the national honour without recourse to foreign troops, it must be remembered that the value of labour had very much increased, that emigration was on an extensive scale, and that armies were of much greater size and magnitude than formerly. The experience of 1857 showed how essential it was to the very existence of our Indian Empire to employ almost entirely a European force in that country. He believed we had now 65,000 European troops there, and, in his opinion, not one of these could be spared. Last Session, in recommending the employment of the Sikhs, he expressed an opinion that the annual casualties in our Anglo-Indian army amounted, in time of peace, to 10 per cent. He had been since furnished with Returns by the Adjutant General which showed that in 1865, out of a force of 66,039 men, 1,667 died, 568 were discharged, 5,166 were invalided, or their time had expired, and they declined to re-enlist, making a total of 7,401, or rather more than 11 per cent. He was informed at the Horse Guards that 1865 was an average year, so that it was necessary to send to India about 7,000 men annually to reinforce our army there. If we succeeded in making the army more popular, by an increase of pay or by improving the position of the soldier, we should doubtless be able to meet that claim. The question, however, naturally suggested itself whether we could maintain such an Indian army in the event of our becoming involved in a great European war; and it appeared to him that our experience in the Crimean war proved that that question must be answered in the negative. During that war we had only 22,000 soldiers of the Royal army in India, and yet we found it necessary to withdraw some of those men for service in the Crimea. But he feared that if such an operation were effected on any large scale it would be regarded in that country as a sign of weakness on our parts, and might become the signal for a new revolt. If that were so, it became the duty of the Government and of that House to see how far we might be able to meet any exigency that might arise; and upon that point there were two things, he thought, which they ought most carefully to consider. The first of these was the organization of our militia, with a view to render that force an efficient auxiliary to the army. Now the militia might, no doubt, be re-organized so as to constitute a well-defined army of reserve; and this, he felt sure, had already received the attention of the Government. Next came the proposal of the hon. and gallant Member to utilize the warlike tribes of India, which up to 1857 formed a large and valuable auxiliary to our army. He believed that Sikh regiments, properly armed, and commanded by officers thoroughly acquainted with the language and customs of their men, would be second to no troops in the world, and that they might be very advantageously employed in China, New Zealand, Australia, the Mauritius, and the Cape. It had been objected that their peculiar ideas of marriage and other social institutions might lead to evil results, and this objection would be of some weight if it were intended to bring Sikh regiments to this country. He never expected, however, to see a regiment of Sikhs mounting guard at St. James', or a regiment of Beloochees defending Chester Castle, though he thought that if a number of the non-commissioned officers were brought over to study at the School of Musketry at Hythe, they would carry back such accounts of the grandeur and magnitude of England as would have a very beneficial effect on their regiments. This course had been adopted with regard to West India regiments, and he had never heard of any bad results from it. He would briefly enumerate some of the advantages which would accrue from the employment of Native troops for general service. It would enable us to relieve our home regiments in some of the most unhealthful stations in the world, where British regiments were too often decimated by the climate. It would also give English troops a longer period of home service. Previous to the Crimean war our regiments had six or seven years of home service. That would go a long way towards solving the difficulty of obtaining recruits for the army. If, unfortunately, the Natives of India should again be found in arms against the Sovereign, a larger number of European troops would be available to send to that country. If, on the other hand, a European war should break out, we should have an army of reserve that might be increased to any extent, and composed of soldiers second to none in the world. There might be many difficulties in the way, and they could only be surmounted by carefully investigating the subject. He should be very glad if the hon. and gallant Gentleman could obtain the Committee. He felt that if the Government would at once take some steps in this direction to place the defences of the country in a good position, and to adopt the best precautions to avert disaster, we should, at a moment of danger, difficulty, and extremity, meet that danger without fear and with success, and above all, the British army would be found in a position to maintain the ancient honour and glory of the country.

Major Dickson

Sir HENRY RAWLINSON said, he wished to offer a few practical remarks on the subject before the House. During the Affghan war, he had abundant opportunities of witnessing the conduct and capabilities of the Native troops when out of their own country. The result was to show that the Natives of India, under the privations of a severe climate, became almost disorganized. He did not wish to derogate in any way from their military qualities; but if they were employed in many of the countries that had been mentioned, he felt convinced they would disappoint the expectations that had been formed of them. In some of our colonies, where the climate was similar to that of India—such as the Mauritius and China—they might prove very valuable troops as auxiliaries. But he should be sorry to garrison New Zealand, for instance, with Native troops from India; because he believed that the Maories were hardly inferior to Europeans as fighting men, and it would not be fair to rest the defence of the colony exclusively upon Native Indian troops. He did not believe either that the Natives of India would stand the climate of the Cape or Australia. It was also to be remembered that the Natives of India had a great objection to leaving their own country. They were understood to be enlisted for local service, and it was impossible to send them out of India except as volunteers. No doubt their military spirit had induced them to volunteer to serve in the war in China; but he doubted whether they would be so ready to serve as garrison troops in foreign stations. It might be possible to alter the terms of enlistment so as to make them available for service abroad, but this could not be carried to a very great extent among the ordinary material of the Indian army, however it might succeed among the Sikhs. There were, however, certain evils and dangers in the constitution of a large Sikh army that should not be overlooked. The Indian Mutiny had been attributed to a want of discipline inherent in Native forces; but he could not agree with those who asserted that the system of ruling India by a Native army had thus been tried, and had broken down. It was the injudicious and vicious organization of that army that had broken down. The proof was that in hardly any case did a regiment revolt which was judiciously organized. The mutiny was, in a great degree, the result of a mistaken feeling of military pride in the Bengal officers, who wished to have their regiments composed exclusively of fine tall high-caste men. The Bengal army was very much composed of fine high-caste men, the Natives of Oude and the North Western Provinces, and thus a spirit of independence was generated which defied control. In those Bombay and Madras regiments which were composed of different classes, hardly a single instance of military revolt had occurred. He believed that if the Bengal army had been similarly organized, they would never have had an Indian mutiny; and he still looked forward to the time when the amalgamation and equipoise of various races in the Indian army would render it perfectly amenable to the control of European officers, and when we should, in a great measure, be relieved from that drain on our English military resources which our tenure of India at present imposed upon us. But he should deprecate the creation of a very large Sikh army for the same reasons which led him to deprecate the restoration of the Bengal army on its former footing. The agglomeration of members of the same race and creed in an Eastern army was apt to engender among them a feeling of independence and insubordination; and it thus became to the ruling power an inevitable element of danger. It must also be borne in mind that if Native regiments were taken away from India to garrison our colonies, the place of these Native troops must be supplied by others. The Native army of India was no larger at present than was necessary. Any loss must, therefore, be compensated by fresh levies, and no diminution could be made in the corresponding number of European troops. They might, however, look forward, perhaps, to the time when, under a more judicious organization of the Native army, and by the increased facility of transport, owing to the numerous railways that would intersect India in all directions, it might be possible very much to diminish the great drain upon our resources arising from having to maintain nearly 70,000 Europeans as a permanent garrison in that country.

GENERAL PEEL: Sir, I do not rise for the purpose of opposing the appointment of the Committee for which my hon. and gallant Friend moved in a speech of very great ability, and marked by a degree of professional knowledge which must, of course, give great weight to his opinion. If this were a mere military question, I should very much doubt the propriety of referring it to a Select Committee of the House of Commons. I agree with those who think that a Committee of this House is not the best tribunal for arriving at a sound conclusion upon purely military subjects. But there are sanitary questions and also questions of expense connected with this subject, which make it perfectly right that the House, if it thinks proper, should appoint a Committee to inquire into it. It will be very easy for a Committee to ascertain what are the present duties — the matter included in the first part of his Motion—of the British army. But when they come to decide upon which, and what proportion, of those duties can be done by other troops, I think they will find that they have a much more difficult task before them. I beg to warn my hon. and gallant Friend that he must not confine himself merely to military witnesses. I venture to say that he might obtain any number of military witnesses, who would give very different opinions as to the propriety of employing Native troops instead of British. I think what we have heard from the hon. Member who has just sat down was very different from what we heard from those who preceded him. My hon. and gallant Friend must be perfectly aware that no Report of a Committee of the House of Commons would relieve either the Governor General or the Government of India from the responsibility of calling upon the House to supply the number of British troops which they thought necessary for the safety of that country. The best security we can have that they will not call for more British troops than they deem absolutely indispensable is the circumstance of the great drain it occasions upon the finances of India. At the present moment the force of British troops in that country is reduced below what many of the highest authorities — Lord Clyde, Lord Strathnairn, Sir William Napier, Sir Hope Grant, and others—have thought necessary. My hon. and gallant Friend must recollect, when he goes into the Committee on this question, that the wishes and views of the Governors and the inhabitants of the various colonies to which he proposes to send Indian instead of British troops, must be consulted. We are now throwing on the colonies, as far as we can, the expense of maintaining the troops they have; and if they are to pay they will hardly be satisfied if you merely send them a Native regiment. I could read to you reports from several Colonial Governors in which they positively refuse to have only Native troops. Within the last few months it was proposed to move the British troops stationed at Demerara on account of the sickness there, and the colonial authorities and the colonists declared that if you took away the British troops they would rather you would withdraw the black troops also. I do not gather, either from my hon. and gallant Friend who brought forward this Motion, or from the hon. Gentleman who spoke with so much ability in seconding it, whether they propose that these Native troops should be in addition to or in substitution of European and British troops —whether they propose to raise the force of Native and reduce a certain number of British regiments, or whether they are to be an addition to our establishment. The adoption of the one plan rather than the other would make a most material difference as to the expense to be entailed on the country. The hon. Member who spoke last told us that out of all the colonies we have there are only two, Mauritius and China, for which Native Indian troops would be suitable. With regard to my experience as to the case of four companies of a Ceylon regiment sent to China, I may say that the sickness among the Native troops there at the present moment is quite as great, if not greater, than among the European troops. The subject is one which may fairly be inquired into by the Committee; but I should much object to Indian troops doing duty in place of British at Gibraltar, Malta, New Zealand, Australia, or similar healthful colonies. If you take the whole of the forty-two English regiments now in the colonies, the number for which you could properly substitute Native and Indian troops, are nine regiments only. The plan, therefore, of my hon. and gallant Friend (Major Anson) would have very little effect in reducing the requirements made upon the British army generally. There is the greatest possible advantage in having British troops in our colonies. Those colonies are so echeloned, so placed towards one another, that by having British troops the greatest confidence is given to them. I will not say that India, during the mutiny was absolutely saved by the British troops that were sent thither from the Cape, from China, and Ceylon; but without any communication with this country those troops were at once despatched from the colonies to India; and if they had been garrisoned by Indian troops, what might have been the state of things then? We are, as I before said, throwing on the colonies the expense of their garrisons; but if you, for your own Imperial purposes, were to send them Indian, in lieu of British troops, the colonists would naturally object to pay. At this moment we have taken away one regiment from the Cape, and given notice to the authorities there that gradually they must expect that England will only supply them with one regiment, and that everything they require beyond that must be paid for by the colony. They would naturally object to being supplied with Native troops. Again, we are now taking troops over for the first time to the Straits Settlements, and they are to pay £60,000 towards the expenses of our troops in that region, but then it is a condition that they should have the wing of a European regiment. So, again, with Ceylon, Australia, and New Zealand, which pay so much per head for the British troops they have. If you were going to have a large standing army in this country I could imagine that it might be very useful indeed to have such a system as that suggested by my hon. and gallant Friend; but of this I am perfectly certain, that this country will never agree to have a very large standing army of British troops, except in time of war. I believe that as we throw these expenses on the colonies they will naturally seek to reduce, as much as they can, the number of regiments they require. I will not anticipate what I have to say to the House with regard to the formation of an army of reserve, or as to the mode by which it is proposed that we should keep up the recruiting of the army. But I have no hesitation in saying that, with our large and increasing population, we ought to have no difficulty in getting the number of men necessary to maintain the army at the point which is required. The hon. Member who seconded the Motion referred to the regiment which we are about to raise for service in Hong Kong. We are doing exactly in that case what he wishes; that is to say, we are about to supplement with Native troops where the climate is unhealthy for British troops. We have applied to the Secretary of State for India to advise upon to the best method of arranging as to this regiment. But I should myself prefer the proposal of the hon. Member who seconded the Motion, and I think if we are to have Native troops raised for general service that it would be much better that we should raise them for ourselves, perfectly independent of any engagement with the Indian Government. Supposing you greatly increase the number of Native troops as a supplement to the British army, the question arises as to how you are to officer these troops. It would be necessary that their officers should have a certain knowledge of their language, and should be able to command the respect of their men. The hon. Gentleman opposite said I objected on constitutional grounds to the employment of the Native troops during the Chinese war.

MR. O'REILLY: I only said I understood the right hon. and gallant Gentleman to object to their continuance in China.

GENERAL PEEL: My objection to their continuance there certainly was a constitutional one. That is one of the objections which I think would apply to the employment of a great number of Native troops. There were at one time no fewer than 12,000 to 16,000 Indian troops employed in China that were never voted by Parliament; and they might have been 20,000 or 30,000, as far as Parliament was concerned. To that I certainly object, for I contend that the number of Indian troops so employed should be set down in the Estimates. But I must again come back to the question whether the proposal of the hon. and gallant Gentleman would lead to an addition to the British army, or whether he desires that it should be reduced, substituting Natives. That, I think, is the main point to be decided. So long as we can raise the troops ourselves—and we shall, I hope, have no difficulty in doing so—it is in my opinion better that we should adhere to the present system, because the Native regiments—and I have no wish to decry them—everybody will admit must be inferior to our own. With regard to India, my noble Friend (Viscount Cranbourne) will be better able to speak as to what would be the effect of reducing the British army there. It is not my intention to oppose the appointment of a Committee; but unless the hon. and gallant Gentleman confines the inquiry to some particular and definite object, I do not see what good can result from their labours. He may very easily find out what the nature of the employment of British troops is abroad; but he will have great difficulty in ascertaining exactly the extent to which Native regiments can be employed as he suggests.

CAPTAIN VIVIAN said, he congratulated the hon. and gallant Gentleman who had brought forward the Motion on the success he had met with. No one need be surprised at the introduction of such a matter after the experience of the past. The House would remember that it was only in the last Session of Parliament that a Committee was appointed to inquire into the mortality which had taken place among our troops in China. That mortality had resulted in the decimation of almost two European regiments at Hong Kong and elsewhere, and the evidence taken before the Committee went to prove, beyond a doubt, that the European soldier was not fitted for the climate. The point was accordingly raised, as a matter of course, for consideration whether we could not substitute Native troops for the British soldiers in such countries. His hon. and gallant Friend had had great military experience in India, and he had turned his attention to the subject whether it would not prove advantageous to employ Asiatic troops in certain of our Eastern dependencies. The right hon. and gallant Member the Secretary of State for War (General Peel) said, that we had no more troops in India at the present moment than were absolutely required. He (Captain Vivian) did not mean to dispute that; but he wished to call the attention of the House to the fact that at this moment we had 30,000 more troops in India than we had during the Indian Mutiny. At the time of the outbreak there was a large Sepoy army drilled and organized by us which no longer existed. There was not now a single gun belonging to the army, and he did not believe that if the Sepoys were inclined to revolt to-morrow they would be able to collect a force of 10,000 men. What, then, was our large force in India required for? It was partly in order to enable us to keep under our control the Sikhs, who were the most warlike of all Asiatic troops. These Sikhs were soldiers that had fought against us and proved their valour on many a hard-fought field—men who were almost born soldiers, and who were admitted by all who knew anything of them to be about the most warlike nation in the world. On the other hand, no one disputed that when these Sikhs were taken away from their own country and their own traditions, and water put between them and their native land, they were as faithful and good troops as could be employed. He would, with the permission of the House, read an extract from a letter he had received from Sir Charles Wyndham—an officer of experience in India. In that communication Sir Charles said—

> "With regard to the Sikh nation, from my knowledge, I am certain you might rely upon their courage and fidelity when employed at a large distance from their own country."

Now, the question which his hon. and gallant Friend proposed for the consideration of the Committee was simply to inquire whether we might not with advantage employ those troops, instead of Europeans, in certain military dependencies. The right hon. and gallant Member the Secretary of State for War asked whether it was meant to substitute the Natives for European troops. The answer to that would be that if in certain colonies or dependencies we could with safety substitute Native for British troops it would be our duty to do so, even though it should be one regiment only. In this country we were paying more than any other nation in the world for our army. We were paying something like £14,000,000 a year, and yet we had less to show for the money than any other nation. It was therefore one of our first duties to reduce, when we could do so with safety, the number of our troops. If we were to have an European crisis to-morrow, what force could we bring into the field to defend ourselves at home in exchange for our £14,000,000 a year? The fact would not be disputed that we could only bring something like 50,000 into the field for European purposes, for we had in India, and on the high seas, something like 80,000. If therefore it could be proved that for the protection of India or our colonies we were able to substitute a force for the British which would equally serve the purpose, and by that means be enabled to reduce our own army, we should at once do so. The first duty of the Executive was to reduce our army as much as possible. He held that it was absurd to talk about a reserve force if we were not to reduce our standing army. The hon. Baronet the Member for Frome (Sir Henry Rawlinson) said, among other things, that his experience of the Affghan war proved the Native troops under severe trials became disorganized. That also was a question for the consideration of the Committee. He quite agreed with the hon. Baronet that if it was the nature of the Native trooops to become disorganized under severe trials they should only be employed in climates which agreed with them, and where there would be no danger of disorganization from such a cause. China was one of these, and therefore it was open for consideration whether they might not be employed there. The right hon. and gallant Member the Secretary of State for War said that the colonies, having to pay for the troops, would not be satisfied with Native troops, and as an illustration he instanced the case of Bermuda, where, when it was proposed to remove the English troops, the authorities asked that the blacks should also be removed. But it should be borne in mind that it was a very different thing to place negro troops over a negro population, and to send troops belonging to the Sikh nation to China. His hon. and gallant Friend had, in introducing the subject, so completely exhausted it, that he would not trouble the House with any further remarks.

MR. LAING said, that as this was a question which specially related to India, and as he must naturally take a warm interest in all that related to that country, perhaps the House would bear with him while he made a few observations on this question. He believed thet the Native interests of India required the presence of a European force there. Without going into the question of the mutiny, he might state that he believed the European force in that country, in the opinion of all military men, ought not to be reduced much below 60,000 men. With the improved communications of the present day, and with a command of the railways and telegraphs, a smaller force might possibly suffice; but in so reducing the amount a certain danger would be incurred, and looking upon the question as one of insurance it would be unwise to go much below the limit he had stated. His fear was that, on an emergency, India would be denuded of her European troops to supply the colonies or the army at home. The question was not one of money, but of men; and the point for consideration was really how we could best economize men in other quarters of the globe, so as to render them available for service, either in India or at home, in case of need. He had been rather surprised at the argument of the right hon. and gallant Gentleman (General Peel), who seemed to imply that the wishes of the colonists were to be final in this matter. The question was not one for a Governor nor yet for the people of a colony to decide; if they did not like to accept such troops as we could give them, why, let them protect themselves. European regiments might be more acceptable on account of the society which they introduced into a colony, but it would never do to leave it optional with the colonists to say, "You must keep one of your costly regiments here." He would confine himself to the case of India. Having been in India at the time the troops returned from service in China, and having had special facilities of communication with military men, he could declare that in India we possessed a reserve of naturally warlike populations, who might be drawn upon largely for reinforcements. Some of the Native regiments which had served in China distinguished themselves highly, and displayed qualities rendering them fully equal to any auxiliary forces which served with the great armies of Europe—to the Cossacks, for instance, in the Russian levies, and the Turcos and other Native African troops, enlisted pretty largely in the service of the French Empire. He agreed with what had been said as to the military qualities of the Sikhs. It would be a dangerous mistake, however, to look to the Sikhs alone for our levies—so martial a race might be tempted to take advantage of their position. They might be tempted to say to the Europeans, "We are almost as good as you are, and we are numerically stronger, and we shall therefore take advantage of the situation." This argument, however, would not apply to Sikh regiments scattered in garrisons over distant colonies. But besides the Sikhs, there were the Ghoorkas, the Belooches, and the Pathans, descendants of the Native Affghans, as white in colour as the men of Southern Europe, being derived from mountainous races. The high authority (Sir Henry Rawlinson) who had spoken that evening of Native troops in Affghanistan being disorganized by the severity of the climate, must have had in his mind the army of Bengal, the old Brahmin Sepoys of the plains of Oude, of whom the army was at that time composed, who, coming from a tropical climate, were ill-fitted for exposure to a severe climate. But during the Chinese campaigns some Native regiments from the mountainous races, who were exposed in their native hills to every degree of cold, remained behind at Tientsin, and were exposed during the winter to a degree of cold greater than any which troops would suffer in garrisoning any town in England. Making a proper selection of regiments, so far as such climates as China, up to Shanghae, or the Strait settlements, even the northern parts of Australia, or the settlements towards Torres Straits, or, nearer home, such as those of Malta or even Gibraltar were concerned, he was satisfied that there was nothing to prevent the employment in those places of such troops as might be raised in India. With regard to the indisposition of the Natives to serve across the sea, this might be true of the high class Sepoys of whom the Bengal army was formerly composed; but there was a considerable number of Natives who had no objection whatever to cross the sea, as was instanced in the case of the Madras army, regiments of which had been in the habit of crossing the sea to the Burmese coast and to Singapore. With regard to the Sikhs who had served in China, they were delighted with what they had seen of the British troops during that campaign, and having had a good opportunity of contrasting the French and British armies, they were so strongly impressed with the superiority of the latter that they evinced the most ardent desire to go and serve under the British flag in any quarter of the world to which they might be sent. In fact, a native officer, the second in command of one of the Sikh regiments, had asked him (Mr. Laing) whether Paris would not be a splendid city for loot, and whether it was not true that the Cossacks had once been there. There was an evident desire on the part of that officer to serve under the British flag in an European war, so that he might have a chance of marching into and assisting in the loot of one of the great capitals. He concurred in the remarks of the hon. and gallant Gentleman (Major Anson) as to the desirability of sending a Native regiment upon foreign service instead of breaking it up; and he believed that, just before the Indian mutiny, if one of the regiments in which disaffection first showed itself had been sent to a foreign station the Mutiny might have been averted. What was now proposed had, in fact, been carried out to a considerable extent already. Aden, a fortress almost equal in importance to Gibraltar, one of the great stages on the high road between England and India, was garrisoned mainly by Native troops, with some European artillery. Yet the station slept in perfect tranquillity under its guards, and in matters of police there was less difficulty with a Native than with a European regiment. The same might be said of Singapore, of Rangoon, and of places along the Burmese coast. So far from mutinying, isolated Native regiments on foreign stations had little disposition to show such a temper, for they knew themselves to be in the power of England, and their only chance of getting home again lay in the ships which she provided. The presence of a few European artillery usually sufficed to keep them steady to their allegiance, and our European contingent might be described as the backbone of our colonial forces. The real difficulty, as pointed out by the Secretary for War, consisted in officering these regiments, for, however efficient the Native regiments might be for service in India or abroad, their efficiency entirely depended on the class of officers in command of them. The ordinary run of officers could not be taken, as in the case of European regiments, for then there would be the risk of appointing officers ignorant of the language and habits of the men over whom they were placed. There must be European officers especially trained for the purpose, and acquainted with the manners and prejudices of the men, or otherwise the officers might provoke a mutiny by some apparently trivial act, which a student fresh from Sandhurst could see no harm in. Under the measure for the amalgamation of the Indian army, the means of supplying this class of officers had been got rid of to a very great extent, though at present things went on very well, because there was a reserve of officers left by the old system. There were 4,000 of them that had been so available. But how were they to get on for the future. The great difficulty of employing Native regiments abroad was that the Indian officers of the old army could not be asked to accompany them to the Mauritius or to Malta, for a lower scale of pay than they received for Indian service; and, if the Indian scale were granted to them, what must be the feelings of the other European officers serving alongside of them? That was the great difficulty, for otherwise, by the employment of Indian troops, great relief might be given to the European forces scattered over the colonies, the necessity of sending so many British troops abroad would be diminished, and increased security for India would be acquired by having a larger available British force to draw upon. The difficulty he had just adverted to not only applied to Indian regiments sent abroad, but still more strongly to those which remained in India. The question was how to supply a class of officers having qualities like those possessed by the officers of the old Indian army. The measure adopted some years ago for breaking up the staff of the Indian army, and doing away with the local European force and the separate establishment of Addiscombe for the training of European officers, was a mistake, and if that had to be done again, no one with the experience since acquired would advocate such a measure. The forces might have been so united as to be under one Commander-in-Chief. Both might have been held to be under one Commander-in-Chief; but a separate force of 30,000 or 40,000 men, with their officers, might have been kept for the separate service of India. However, when a step such as that was taken, it was difficult to retrace it; but he invited the right hon. Secretary for War to consider the question, because he regarded it as the most important and the most difficult in the future of India. He thought the House ought to feel exceedingly indebted to the hon. and gallant Member (Major Anson) for the manner in which he had brought the subject under its notice.

VISCOUNT CRANBOURNE said, he quite concurred in thinking that the House was very much indebted to the hon. and gallant Member (Major Anson) who brought forward the Motion, and he believed that the proposed inquiry would be very valuable. He only hoped that the hon. and gallant Member would exercise some discretion as to the subjects to be investigated, for by wandering into a multiplicity of topics the whole value of a thorough investigation might be lost. He trusted that the hon. and gallant Member would not be induced to go into the question of the amalgamation of the Indian army. He quite concurred with the hon. Member for Wick (Mr. Laing) as to the difficulty which had arisen from the measure passed a few years ago, though he did not say that it was a mistake, because it would, perhaps, have been impossible to avoid greater difficulties still, if the old system had been stood by. It was right that the operation of that measure should be most carefully watched to see whether a remedy might be provided for the evils it occasioned; but he should be sorry if the value of the investigation now proposed were lost by mixing it up with so enormous a question. Another question which had been raised, not strictly germane to the subject, was whether the army in India was not too large. The hon. and gallant Member for Truro (Captain Vivian) observed that the British force was increased since the mutiny to nearly double its former amount, and argued that the Native army having been reduced, so large a British force was unnecessary to watch them. It must, however, be borne in mind that before the mutiny the Native troops were drawn from the provinces of Behar and Bengal, and that now they were drawn from the hill tribes, so that if there were any element of danger in the Native Indian army, it was much intensified by the more martial character of the force. With regard to the selection of the men, there arose this difficulty—that if men of the most docile races were chosen, they were of a feeble constitution, and incapable of being removed from the climate and food to which they were accustomed; and if men of the hardier races were selected, then a class was obtained which could be moved about and made little difficulty as to food, but they were more dangerous to deal with, and the precaution which the hon. Member for Wick alluded to, of keeping European troops and artillery in the neighbourhood of any such large Native force, could not be abandoned. With regard to the objection raised against the employment of Native troops out of India, on the ground of the difficulty of inducing them to leave that country, the hon. Member for Wick thought that objection refuted by the experience of the campaign in China. Having discussed this subject with some authorities on Indian matters, he knew that the feeling which dwelt in their mind was that the Native troops could not be induced to leave India in any large number unless there were a prospect of "loot." The hon. Member for Wick was struck with the enthusiasm of a Native at the prospect of "looting" Paris. That was a picture of the minds of those men; and, no doubt, if they were told that Paris was to be "looted," an enormous number of them might be got to go there. But it would be impossible to induce them to volunteer for the dull unhealthy duty of a garrison town. But really he supposed in this, as in everything of the kind, this was very much a matter of money; the difference between the cost of an European and a Native soldier, was as between £110 and £40, and they would have to pay these troops about double if they used them for their colonial service; and in doing this they diminished the motive for adopting this principle. It was not because there was a difficulty in getting European soldiers, but because they were so costly that this proposal was made. He suggested these as points for consideration by the Committee. Very great difference of opinion, no doubt, existed upon the subject; but they had a very large amount of experience to guide them, and the subject was one eminently fitted for Parliamentary inquiry. He trusted, however, that the Committee would not be content with oral evidence alone; but that its members would listen to the suggestions of some of the higher authorities of India who could not be brought from their posts to give evidence. In that way the Committee would be able to collect very valuable information, and perhaps be the means of introducing very useful reforms into the military service of the British Crown.

THE MARQUESS OF HARTINGTON said, he thought the speech of the Secretary of State for War, with which he heartily agreed, was eminently fitted to stand as an argument against the Motion for a Committee. While he did not wish to oppose the Motion, he certainly thought it would have been better if the Secretary of State had imposed some limit to the proposed inquiry. Presuming that the policy indicated by the Motion could be adopted by an English Parliament, he doubted whether the many subjects which would have to be discussed by the Committee were such as should properly be considered by them. Even the Mover and Seconder of the Motion for a Committee had said that the change, if carried out, would be extremely complicated; and that, whether it were carried out or not should depend very much upon the balance of advantages and difficulties with which the change would be accompanied. It appeared, then, to him very strange that a Committee of the House should be appointed to inquire into the advisability of a change, the principle of which had not been sanctioned by the House, and which he believed the House on further discussion would not approve. He entirely dissented from the policy which the hon. and gallant Member for Lichfield (Major Anson) and his friends advocated. Not to dwell upon the minor points raised by the Secretary for War, such as the disinclination of the colonies to receive garrisons of this kind, he had heard no satisfactory answer to the query as to what it was proposed to do with the British troops now employed in colonial service. It was evident that if the proposal of the hon. and gallant Member for Lichfield were carried out our military establishments must either be reduced in proportion as they were added to by the enlistment of Native troops, or else the Estimates must bear the whole additional cost of the enlistment of Indian troops. It had been said by the hon. and gallant Member for Truro (Captain Vivian) that it would be the duty of any Government to propose a reduction of the army whenever a battalion could be dispensed with, and he concurred in that view; but the proposal now made was to substitute a battalion of Indian troops for a battalion of British troops. He had heard no satisfactory argument in favour of the principle of the proposal. He believed that the force scattered over the colonies was not so effective for Imperial purposes as the same number of men would be if concentrated at home; still it was not altogether useless. The proposal now made was to substitute a force which might or might not be as efficient as Europeans for colonial purposes, but who certainly could not be equally efficient in any great Imperial emergency. For these reasons he regretted that before the subject had received more complete investigation and before Parliament had expressed any opinion as to the policy of such a change, the Secretary of State should have consented to the appointment of a Committee which would waste considerable time and could lead to no practical results.

Major WINDSOR PARKER said, that touching this question of amalgamation, he felt it was due to the old Indian service to remind the House that it was not only in the recent services in China that these armies were usefully employed, but under Abercrombie in Egypt; and in their services in Java they distinguished themselves to the great satisfaction of those in authority. Although it was very questionable how far Native troops, under present circumstances, could be employed out of Asia, he thought to employ those troops who had shown a mutinous disposition in India to uphold the British flag in other parts would be most injurious to the discipline of the troops in India, and to the honour and welfare of this country.

Major ANSON said, he thought questions connected with the withdrawal of troops, or the substitution of one kind of troops for another, should be left entirely to the Executive. He also thought the objections to his scheme were such as to show how useful the proposed inquiry would be; and he was extremely glad the Secretary of State for War had given his consent to the proposition he had made.

Question, "That those words be there added," put, and *agreed to.*

Words *added.*

Main Question, as amended, put, and *agreed to.*

Select Committee *appointed* "To inquire into the duties performed by the British Army in India and the Colonies; and also to inquire how far it might be desirable to employ certain portions of Her Majesty's Native Indian Army in our Colonial and Military Dependencies, or to organize a force of Asiatic Troops for general service in suitable climates."

And, on March 6, Select Committee *nominated* as follows:—Viscount Cranbourne, Mr. Childers, Sir James Fergusson, The Marquess of Hartington, Captain Hayter, Mr. Oliphant, Sir Henry Rawlinson, Sir William Russell, Captain Vivian, Viscount Hamilton, Mr. Laing, Lord William Hay, Colonel North, and Major Anson:—Power to send for persons, papers, and records; Five to be the quorum.

ATTORNEYS, &c., CERTIFICATE DUTY BILL—LEAVE.—FIRST READING.

Mr. DENMAN moved for leave to bring in a Bill to reduce the annual Duty upon the Certificates of Attorneys, Solicitors, and others. He said, that having received an assurance that the Bill would not be opposed on the first reading, he would not, on that occasion, go into the reasons for a reduction of the duty. The subject had very often been before the House, and on many occasions the principle had been affirmed that this annual payment ought to be abolished. The Bill he sought to introduce did not propose to abolish the tax entirely, but to reduce it to the nominal sum of 5*s.* The reason for that was that there were in existence several Acts of Parliament that would have to be repealed or considerably altered, at great inconvenience, if the duty were altogether taken off; but by reducing the amount to 5*s.* all the existing machinery would remain, and both the public and profession would be benefited by still having a regular authentic list of attorneys, solicitors, proctors, and notaries published annually. The principle had been affirmed in 1865, and by former Parliaments, and the tax had been retained upon grounds affecting the revenue of particular years and not from any opinion that in itself it was either just or expedient.

Mr. M. T. BASS said, he thought that licenses on trades and professions ought to be altogether abolished, or to be extended to all. Of all licenses, however, that on common brewers was the worst. It was a hardship to which the license of attorneys and solicitors could afford no parallel. Every brewer was required to pay a license upon the work he did, and not upon the profitable result of his operations. He (Mr. Bass) as a brewer paid as large a sum as 1,100 or 1,200 solicitors did, and he should think it very hard if solicitors were relieved of their eight guineas a year, while he had to pay so large a sum for permission to carry on his business.

The CHANCELLOR of the EXCHEQUER: I congratulate my hon. Friend the Member for Derby on the large sum which he pays for his licence, and there can be no doubt that on the same conditions we should all be perfectly willing to contribute such an amount to the national Treasury. I think that licences are a most enlightened scheme for recruiting the national Treasury, and I am not at all inclined to favour the proposition of the hon. and learned Gentleman opposite. It is a very difficult thing for the Chancellor of the Exchequer to encounter attorneys and brewers. They are, without exception, the two most influential classes in the community. The late Henry Drummond, whom we all knew in this House—"alas, poor Yorick!"—speaking one night of the Powers then convulsing the world, just before the Crimean War, said, "After all, what is their power to the power of an attorney?" I feel that at the present moment. It is under these circumstances I must consent to the introduction of this Bill. It is because I wish to respect a majority, though not a great one, which sanctioned the principle upon which the Bill is founded. At the same time, I must say I disapprove of the practice of the hon. and learned Gentleman in attacking the Consolidated Fund with a perseverance which may be applauded, but which is not laudable. As to the general principle, I would oppose Motions and measures of this nature made at this moment. The right time to bring forward subjects of this nature is when the Chancellor of the Exchequer has placed before the House and the country the state of the national Finances. That is the legitimate opportunity. If there be any surplus—and I speak with all reserve on a point so problematical—that is the moment when any persons who think they have a fair claim to consideration should come forward. But that an assault on the national resources is to be made as a matter of course appears to me a supposition which ought not to be encouraged. It would be an act of discourtesy were I, under the circumstances, to oppose the introduction of the Bill; but I do not wish the hon. and learned Gentleman to suppose that, in agreeing to its introduction, I at all sanction the principle upon which he has appealed to the House to-night. He represents on the present occasion a very influential, a very affluent, and a very patriotic class; and I am sure we can always appeal to them to bear their fair proportion of the national necessities. The Bill may be introduced to-night; and when the hon. and learned Member has become better acquainted than he can be at this moment with the condition of the Treasury, he can exercise his discretion as to whether he will proceed with or withdraw it.

Motion *agreed to.*

Bill to reduce the annual Duty upon the Certificates of Attorneys and Solicitors and others, *ordered* to be brought in by Mr. Denman, Mr. Vance, and Sir John Ogilvy.

Bill *presented*, and read the first time. [Bill 53.]

FACTORY ACTS (EDUCATIONAL CLAUSES).—RESOLUTION.

Mr. FAWCETT moved that, in the opinion of this House, it is expedient to extend the Educational Clauses of the Factory Acts to children who are employed in agriculture. He said, he trusted that the right hon. Gentleman the Home Secretary would not suppose that he made this Motion in any spirit of hostility to the measure which the right hon. Gentleman had promised to introduce for the extension of the Factory Acts. On the contrary, he sincerely thanked him for that measure, and his gratitude was strengthened when he remembered the promptitude of the right hon. Gentleman in this matter. All that had read the Report of the Children's Employment Commission must feel that it contained fearful disclosures. It proved that thousands of lives were yearly sacrificed, and that thousands more of young people were ruined in body and soul by premature employment. He wished, however, to impress upon the House that if the right hon. Gentleman confined his measure to those trades only which had been reported upon by the Commissioners, he would but touch the fringe of a great question, and leave unsettled a problem in the solution of which the most vital interests of the country were involved. When the Factory Acts were introduced they were met by two kinds of arguments. It was urged, first, that such an interference with particular trades would materially jeopardise their prosperity, and would too much encroach on individual liberty; and secondly, that such special and exceptional legislation was unjust because it was exceptional. Now, the first of these objections had been refuted and silenced by experience. The Factories Act was first applied to the textile manufactures of the country, and that branch had ever since continued in a progressive state of prosperity; and those who most stoutly opposed this legislation were now ready to admit that it had worked with marked success. They were now, likewise, quite ready to admit the advantage they had derived from having a class of operatives who, from being taken care of in youth, had grown up sound in body and mind. Again, the argument with regard to the interference with individual liberty had also been silenced by experience. He was as much opposed as any man to all unnecessary interference on the part of the Government. Perhaps there was, at the present day, a tendency to ask the Government to interfere too much with private individuals; and, as a Radical, he thought that that was a tendency which, in a reformed House of Commons, must be carefully and constantly watched. He had learned his love for individual freedom from his hon. Friend the Member for Westminster (Mr. Stuart Mill), who had made the most philosophic and eloquent defence which had ever been written of personal liberty; but he felt sure his hon. Friend would agree with him that the State was performing one of its clearest and most undoubted duties when it rescued a child from a grievous and irreparable injury. A child was not a free agent; he had no power to defend himself, and no one could over-estimate the injury that was done him if his education was neglected through the avarice or the ignorance of his parents. As for the second argument against the Factory Acts, he (Mr. Fawcett) did not see how it was to be answered; on the contrary, the more those Acts were extended the more unjust they became, unless they were made general. Owing to the zeal of the right hon. Member for Merthyr Tydvil (Mr. Bruce), the Acts were applied to the pottery district, and with the most beneficial results. While admitting this, however, the masters said it was unjust to legislate for them and not to legislate generally. They said they were placed under special disadvantages. They said agriculture was not under the same restrictions, and that the result was that boys would not come to their half-time factory work while they could get full employment in agriculture. They did not get their fair share of the juvenile labour of the district. If the Government had not the courage to introduce a general measure, based on the principle that no child under thirteen should be permitted to work unless he spent a certain number of hours per week at school, he (Mr. Fawcett) wished to point out the pressing need there was for applying, without delay, the half-time system to agriculture. The agricultural population was deplorably ignorant; and he feared that there were circumstances which put a meretricious and deceptive gloss upon the education of the rural population. We had Government grants; we had great zeal on the part of ministers of religion; we had admirable schools, and in many cases ample funds; but these were not sufficient. If a child was taken away from school at eight or nine years of age, all he had named would be useless. He knew villages in the West of England where there was plenty of money for educational purposes, but where there were excellent schools, where there was scarcely a youth who could read sufficiently well to understand a newspaper. If a child was taken away from school at eight or nine years of age, he was certain to forget the little he had learned, and he would grow up in a state of ignorance, for it was found that the rudiments of learning were rarely acquired in after life. It was said that there were practical difficulties in the way of applying the half-time system to agriculture. There might be such, but he feared that those difficulties were readily, perhaps joyfully, seized upon as an excuse. At a recent meeting at Wolverhampton, the Earl of Lichfield, who knew something about agriculture, had made a most admirable speech in favour of applying the half-time system to the rural districts of the country. No doubt many hon. Members would recollect Mr. Paget the late representative of Nottingham. He was a well-known agriculturist, and he had for many years adopted the half-time system on his farm with signal success. His experience was that the boys took greater pleasure in their school, and did their work better—emphatically better—for their change of occupation. However, he (Mr. Fawcett) would examine some of these "practical difficulties." It was said that the Factories Acts had been successfully applied to those branches of industry where labour was concentrated, and the children worked half-time and went to school the other half; but that in agricultural districts the work was often two or three miles on one side of the labourer's dwelling while the school was a like distance on the other, and that, therefore, half-time was impossible. This must be overcome by adopting the alternate day system, school one day and work the next, and if this would not do, there was the alternate week system. But if this half-time system was general, we should diminish the supply of juvenile labour, and increase its efficiency, and by so doing increase the value of the children's labour, and consequently increase their remuneration. Then it was said there were some labourers in the worst paid districts who were in such a state of wretched poverty that they could not live without the children's earnings. It might be said that to take away 1*s*. or 2*s*. a week from a Dorchester labourer, who was dragging out a miserable existence, would be to starve him. But why were the wages in Dorsetshire and Wiltshire exceptionally low? Why did the labourers continue in a state of the greatest hardship when for the same kind of labour they could obtain higher wages elsewhere? How was it that competition did not equalize wages in different parts of the country? The reason was that labourers were ignorant, and as isolated from the rest of England as if they lived in a distant country. Their wages were not affected by the labour market of the country. The wages were always at the minimum. They were not determined by competition with the rest of the country, and the problem was, how much could a man and his family just live upon? In this the earnings of the boy were not left out of the calculation. If, then, that labourer was deprived of his boy's earnings, the wages of the man must be raised to enable him to live. He would not suffer, he could not suffer, for it was impossible for him to be in a worse position. It might be said, "You admit that the result of your legislation would be to increase the price of juvenile labour, and in some cases to increase the general price of labour, and therefore to cast a burden either upon the landlord or the farmer." Even if that were so, he did not think the House would hesitate; but on the strictest principles of political economy it would be admitted that whatever increased the efficiency of labour increased its productiveness, and thus augmented the fund divisible as landlord's rent, farmers' profit, and labourers' wages. One word to the agricultural interest. Agriculture was daily becoming more and more a skilled industry, more complicated machinery was used in it, and greater intelligence was required for its management. Let them remember that the cutting machines must not be intrusted to ignorant workmen. They had heard much of the danger of foreign competition; but that danger would be fully met by improving the education of the people of this country. Timid people expressed their alarm about strikes; but if they wanted men to understand the true principles of economy, they must educate them in their youth. They stood aghast at trades unions, and were shocked at the outrages in Sheffield; but if they had read the horrors which were published respecting the children of that town, they would not be surprised at outrages being committed by grown men. The Children's Employment Commission disclosed horrors with regard to the town that made it matter of surprise that outrages were not more frequent. Sometimes it was said, "Compel landlords to improve cottages;" but educate the people and raise their tastes, and they would not live in miserable two-roomed hovels. The philanthropy of a nation was sometimes appealed to on behalf of a wretched peasant who was starving with his family on 8*s*. a week; but he would not do so if he could read the papers and learn of the demand for labour in other parts of the country. How much wiser would it be boldly to strike at that ignorance which was the root of pauperism and crime than to struggle under the burden of these evils! It was chiefly by the Conservative party that the first Factory Act was carried; their policy in this respect had conferred inestimable blessings on the nation. Let them continue the good work and prove their sincerity to the nation by conferring the same blessings upon the industry with which they were more intimately connected. Personally, he was pledged to do what he could to improve the condition of the agricultural poor, among whom he had lived all his life. He was confident if they could do anything to promote their education, they would be assisting effectually to lighten the burden of poverty which oppressed them, and to make their condition more worthy of that nation, to the wealth and greatness of which their class had contributed so much, and from whose advancing civilization and increasing prosperity they had derived so slender a share of augmented happiness.

Motion made, and Question proposed,

"That, in the opinion of this House, it is expedient to extend the Educational Clauses of the Factory Acts to children who are employed in agriculture."—(*Mr. Fawcett.*)

MR. AKROYD said, that his experience might possibly have some weight with those who had not had the same opportunities of witnessing the beneficial results of factory legislation. The first step towards national education was taken thirty years ago, when the Factory Bill was opposed by the millowners, with certain exceptions. He joined in opposition, not from any unwillingness to shorten the hours of labour, but from a conviction that legislation for a particular class of employers was one-sided and unjust. He maintained at that time that the condition of the factory districts was not worse than that of others, and the recent Reports of the Children's Employment Commission had proved the truth of what he then said. That Commission had occasioned the extension of the Factory Acts to trades not originally embraced. Having at first opposed the Act, he wished now joyfully to offer his testimony to its beneficial results. In his own neighbourhood a squalid population had been succeeded by a healthy one. The operation of the Act had changed the aspect of many a once wretched district, and brought upon the scene scores of happy chubby-faced children, full of health and activity, who, but for the interference of the Legislature, would have been wearing away their young lives with premature toil. Hitherto the whole course of legislation had been tentative and experimental. If the Government of the day had attempted to deal with the question as a whole, and to apply legislation to many trades, the task would have been too great for them, opposed as they would have been by several united interests. The extension of the Factory Acts to mines and collieries, bleaching works, the lace works of Nottingham, and the potteries of Staffordshire, aided the work of education and brought a large number of the trades of the country under its operation. These successive steps had tended to diminish opposition to this mode of education, and had secured a greater number of witnesses to its beneficial results. We seemed to have arrived at the half-way house of national education, and if the measure of the hon. Member for Brighton (Mr. Fawcett) received the assent of the agricultural Gentlemen we should have solved the problem of national education, and little more would remain to be done. What objections could be raised by the country Gentlemen? He was bound to admit the benefits they conferred on the manufacturing interest by determinedly pressing the Act upon them. Happily, times were now changed; classes were not so banded one against another as they had been; and there seemed to be no reason why they should not together carry a national system of education. Was there anything in the condition of children employed in agriculture which forbade the application of this Act to them? From his own observation he would say that there were many reasons why this Act was more imperatively called for in agricultural than in manufacturing districts. The children of farm labourers were taken from school early, left the parental roof, and were hired by farmers from year to year. He could confirm what had been said by the hon. Member for Brighton as to the ignorance of children in agricultural populations compared with that of children in manufacturing populations. Farming, however, was now a very different thing from what it had been; clodhoppers could not be trusted to deal with costly instruments, and farmers must of necessity have skilled labour. On these and other grounds a good case was made out for the extension of the Factory Act to the children employed in agriculture. Those who feared an interference with their liberty would, like himself, in a few years bear testimony to the good fruits of this paternal Act.

MR. GOLDNEY said, that the country Gentlemen did not fear the extension of education among their labourers. No class of men had endeavoured to do so much towards establishing schools and encouraging education as the country Gentlemen. Speaking for the county of Wilts, at all events for the northern portion of it, in which he had lived all his life, he could say that in no part of it had the education of the agricultural population been neglected; on the contrary, it had been provided for in the most ample manner. There was hardly a village or hamlet in which schools had not been started, or some attempt made in the kindest and most liberal manner to educate the labouring population. The great difficulty that was experienced was in getting the children to school. In some cases, no doubt, the parents were desirous of adding to the comforts of their families by the earnings of their children; but in most instances the children stopped away because they preferred to go bird-nesting, or rabbiting, or something of that sort, and the country Gentlemen had even offered premiums for getting them to school. It was a trying time for a child to be taken from school at eleven. He believed it was Dr. Johnson who said that no one learnt anything which he retained in later life before twelve, What he wished to point out in the first place was that there was no objection on the part of the landed interests to have the children well educated. But the mere fact of preventing farmers from retaining the labour of those children for more than half-a-day or half-a-week would not meet the evil; there must be some compulsory power, as in Prussia and other parts of Germany, to keep the children at school, or all other efforts would be vain. The extension of the Factory Acts to the agricultural population would not give the results they desired. ' A word with regard to payment for labour. In the northern portion of Wilts they had a large railway, they had quarries and factories; labour there was in great demand, and men were employed at very high rates. What was the practical result? Labourers, after having been employed on the railway, in the quarries or factories, at high wages, come back to the farmers and said that they preferred agricultural work, even though with lower wages. Agricultural labour did not expend such an extraordinary amount of strength as was required in other employments. It was not from ignorance, therefore, but from choice that these men, having tried other occupations, went back to farm labour. In the northern portion of Wilts agricultural labourers were, he believed, as happy, as well educated, and as well disposed as in any other part of England, and both landed gentry and farmers were ready to do everything in their power for the purpose of encouraging education.

MR. TREVELYAN said, that the hon. Gentleman had spoken of the wish of country Gentlemen to encourage education among the children of the labouring classes, and that they had proved the sincerity of their desire for the promotion of education by aiding the passing of the Factory Act. All that was now wished was that they would aid in extending that Act to the children of peasants. It might be true that the higher branches of learning could not be properly comprehended by children under ten years of age; but experience had proved that they could be taught to read, to write, and to cast up a column of pounds, shillings, and pence under that age, besides possessing some elementary knowledge of the scriptures, and being able to comprehend a simple Saxon sermon. All that was desired was to keep the children at school till they were ten years of age, and he was sure that all friends of education must have experienced much gratification at seeing the Notice of his hon. Friend on the Paper, and especially those who believe that by bold and judicious legislation they might do something to remove from the land that gross ignorance which was its especial shame. It was neither their hope nor wish that, during the present Session, the attention of the House should be called in an extended and general manner to the question of popular education, which could not be done until the great question of Reform was settled. Ardent as he was in the cause of Reform, he did not believe that the question, a branch of which was before the House, was of inferior importance; and although no radical change could be expected at present, he hoped that the subject would not be allowed entirely to sleep, but that even during the intervals between the conflict of parties the trumpet of the friends of education would give forth an occasional warning note. As soon as Reform was settled, the friends of education must make a combined effort for a radical and sweeping change of the present system. When the right hon. Gentleman (Mr. Walpole) brought on his Bill for the improvement of the Factory Acts, they would hear a good deal about the Manchester and Salford Education Society. That Society divided Manchester and Salford into 144 squares, and made a diligent house canvass, and the result of their inquiries might be summed up in this—that half the children between the ages of three and ten were running about the streets, no more educated than Kaffirs. The same was the result of a similar inquiry in Liverpool. If that was the state of great and flourishing districts, what must be the state of the rural districts, in which, in spite of the efforts of Gentlemen like the hon. Member for Chippenham (Mr. Goldney), many resided who were more chary of their time and money. The last Report of the Committee of Council on Education also disclosed some startling facts, amongst which was the circumstance that in one agricultural district the clergyman of the parish was so well satisfied with the attendance of 4 per cent of the children at his schools that he closed its doors against the Inspector; while, in another case, the squire of the parish locked up the school, and sent the key to the vicarage, with a message to the effect that he could do what he liked with his own. In another instance the Committee reported that a wealthy landowner had discovered a very simple way of cutting the Gordian knot, by taking the floor out of half a small cottage, whitewashing the apartment, and transforming it into a school, while he put an old woman to live in the other part, who, at a very trifling expense, afforded the children quite as much education as this enlightened landowner thought they ought to have. The result of our system of education must be judged by statistics. In 1859 an examination was held in the army by direction of the military authorities, and they discovered that out of 10,000 men taken at random, 2,675 were unable to write, though they could read imperfectly, and 2,080 could neither read nor write. The state of education in this respect contrasted most unfavourably with that of Prussia, in which country the military found that out of 100 recruits only two were unable to read or write. In the same year 15,000 men were discharged, 6,000 of whom signed their marks. The Recruiting Commission, two or three years after that, reported that, in a single month, out of 4,500 recruits, something under 3,000 were taken from the rural districts, and something under 2,500 were taken from the towns: which proves incontestably that we must look for the cause of the ignorance among the class from whom our recruits are drawn, at least as much in the country as in the towns. It evidently showed that the parents of these poor children eked out their means by withdrawing them from school at a very early age, and putting them to work. The only hope they had of effectually educating poor children was through the means of an educational rate, because it was useless to compel them to attend schools unless proper schools were provided for them. Private benevolence had done its utmost, and they must now have recourse to an educational assessment. In very poor districts the clergyman was deprived of comforts in order to contribute to the wants of the school, whilst the resident landowner only subscribed his £5. It was to the clergyman that they were indebted for the education which the country possessed; and under the circumstances, although it was against his political convictions, he could not, if the burden was not removed from their shoulders to the rate book, insist on their subscribing to the Conscience Clause. In one of the midland districts, consisting of 168 parishes, 169 clergymen subscribed £10 each. In the same district there were 400 landowners, whose united incomes amounted to £650,000, yet they subscribed only £2,000, or £5 each. Although very often a squire would support a school near his own park gates, he would give nothing towards the schools of neighbouring parishes from which he derived his rents. That state of things should be got rid of, and the people be compelled to send their children to school, the expense of which should be defrayed by a rate. Experience in Canada and Australia proved that when the people had paid their money in the shape of rates they were almost certain to avail themselves of the advantages offered by the Constitution, on the principle of getting as much as they could for their money, and the same, he believed, would be the case in this country. The Returns of crime and pauperism clearly showed that our present system of education was unable to cope with the evils which were growing rapidly around our gigantic and complicated system. If they looked to England, in comparison with Germany, they must blush for their own country. We, who had abundance of money, and possessed the spirit of local self-government, advantages which foreign nations lacked, ought to be able to keep up with them in the race. He hoped that in the next or following Session, or at the first opportunity after the flood of Reform had subsided, the advocates of a comprehensive scheme of national education would unite in passing a measure which would show that our ancient and time-honoured institutions were compatible, equally with those of Germany, Switzerland, Holland, and America, with the universal diffusion of morality and religion.

Mr. READ said, that the farmers of England would endorse the principle laid down by the hon. Member for Brighton, but would ~~question~~ his conclusions and deny some of his facts. It was an exaggeration to say that many children under nine years of age were often employed in agricultural pursuits. Generally, they would be no sort of use. It was only exceptionally that they were engaged in birdkeeping, hop-picking, and minor operations in the harvest field, and then it was generally at a time when the schoolmaster was taking his holiday. In factory work seasons, weather, and daylight were of little consequence, whereas on the farm everything depended upon them. Moreover, a child taken out of a factory had to go but a very short distance to school; whereas in the rural districts a child on an average would be obliged to walk considerably more than a mile. It was impossible, therefore, to give half a day to school and the other half to work on the farm, and the best plan seemed to be to devote half the week to the former and half to the latter. Great benefit had accrued to the rural districts from night-schools, not merely in keeping up the slight elementary education which farm boys received, but in preserving them from bad company, and employing their winter evenings. Too often, however, few persons besides the clergyman and a few irregular volunteers took an interest in them. He thought the Government would do well to grant a little pecuniary assistance to the best of these schools.

Sir FRANCIS CROSSLEY said, he agreed with the hon. Member for Halifax (Mr. Akroyd), in what he stated with respect to the short time system in factories. At one time the manufacturers hardly knew how to obtain sufficient labour to fill the factories on the whole time system, and when the half-time system came into operation, they thought that it would be necessary to close their mills altogether. That apprehension, however, had not been realized, and the children were not only much healthier but were more attentive at school from having to work three days a week, and more industrious in the factory from having a change of occupation in the school. It was quite the exception in the factory districts to find boys and girls unable to read and write, and in the concern with which he was connected the ability of reading figures and of writing to some extent was almost essential. The Factory Act operated, therefore, very beneficially. Since that time the principle of those Acts had been applied to many other trades, and he was not aware of a single failure. Beneficial results had invariably followed. He himself had a farm at Somerleyton, in Suffolk; but, though a day school was established there, he found there was a great difficulty in getting the children to attend it, because their parents persisted in sending them to work in the fields at too early an age. He once suggested to his manager that the children should labour and go to school on alternate days, but the reply was, "Well, sir, if I do that, I shall not be able to make the farm pay. If they are employed at half time I shall have to pay them as much as if they were fully employed." In the manufacturing districts the children were now receiving as much for short time as they did for full time. He thought that a very good thing, and did not see why wages should be so very low in the agricultural districts. He thought the children ought to have the opportunity of going to school, so that they might have a better chance of rising in the world than they had at present. Education did not render a man dissatisfied with his labour, for the best workmen were those who were the best educated. There was no reason to fear that because men were educated they would not be good agricultural labourers. He was quite satisfied that if the principle were adopted that children under thirteen years of age should not be employed without a certificate of their attendance at school, the result would be very beneficial. In that case there would be no lack of schools. He hoped some such system would be adopted, because he believed it would promote the best interests of the country.

MR. M'LAGAN, as one deeply interested in agriculture, and more connected with it than any other profession, thanked the hon. Member for having introduced this subject to the notice of the House. It was evident that some measures, whether compulsory or otherwise, must be adopted to enable the agricultural labourer to keep pace in intelligence and education with the workmen in other trades. And this is the more necessary when we consider that, from the progress that has been made in agriculture of late years, the rapid advancement it is still making, and the application of delicate and improved machinery to the operations of the farm, better educated and more intelligent labourers were required. Before, however, we compel parents to educate their children, we must see that the means of education are sufficient in all districts of the country. Such, he believed, is not the case in some districts. But there is no doubt that where the means of education are abundant and sufficient there is too often an indifference on the part of the parents to avail themselves of these means. This is particularly the case in those districts where there is a great demand for the labour of children—where the parents prefer sending the children to work for 6*d.* or 7*d.* per day to sending them to school. He did not think that the plan recommended by the hon. Member, and practised by Mr. Paget, could be applied in purely agricultural districts, or where the population is sparse and the distance from school is great, as in many parts of the Highlands of Scotland. No doubt it would be better to send the children to school every alternate day or every alternate week than not at all; but there are several objections to the plan which he now took the liberty of stating. On all well-managed farms there is a regular force of labourers kept for the daily labours of the farm. By sending one or several of these away on alternate days there will be an interruption of the labour of the farm, and there would be a temptation to the farm manager, when there was a stress of work on particular days, to retain the services of the children when they should have been sent to school. Another objection he had to the plan recommended was, that the full benefit of the teaching would not be obtained; for what was learnt the one week or the one day would be partly forgot before the child appeared at school the next. Education or teaching, to be quite successful, should be continuous; being thus interrupted in the plan recommended, the children would not make the necessary progress. Besides, children sent to school only now and then, in addition to not making the necessary progress, would retard the due progress of the others at school; for the master would have to devote more time to the former to enable them to keep pace with those who were kept regularly at school, and thus his attention would necessarily be abstracted from the latter. There is nothing so annoying to a teacher, and so injurious to the progress of the pupils, as the irregular attendance of the children. He thought that a better plan would be to enact that no agricultural employer should engage any child for work unless he received a certificate from a schoolmaster that the child could read, write, and do sums in arithmetic. The objection to this plan is the machinery that would be required; for it would be necessary to have some inspector who would be invested with power to demand from the employer at any time the certificate brought by the child under a certain age. If he could assist the hon. Member for Brighton in carrying out any efficient measure for the better education of the agricultural children, he would be most happy to do so. There is no doubt that it is the duty of every parent to educate his child, and it is the duty of the State to see that the parent faithfully discharged this duty.

MR. BRUCE: Sir, whether the hon. Member for Brighton (Mr. Fawcett) presses his Motion or not, I am sure it will be the opinion of this House that the discussion cannot have been without use. I must say that the principle, as I look upon it, is not so much the improvement of the agricultural population as the improvement of the population generally. You cannot consider the question of the county population without considering also the case of the neglected children who live in the suburbs of our large towns, and it presses irresistibly on the minds of all who examine this subject that enough has not yet been done in regard to education, and that we have no adequate national system. Our attempts up to this time have been partial and experimental. After thirty years of continued efforts we have failed to bring education home to the people, and as Christian men and legislators we ought never to rest until we have done our best to accomplish that object. The condition of agricultural labourers varies considerably. Labourers in the neighbourhood of populous cities are comparatively well off. In my part of the country, for instance, few labourers receive less than 3*s.* a day, and in many parts of Yorkshire agricultural labourers earn good wages. They may want, and I believe they do want, improved education, but all that you need do with respect to them, is to see that further means are taken for supplying the machinery of education. I wish I could give as favourable an account of the labourers in the southern and western parts of the country. The hon. Member for Chippenham (Mr. Goldney) has stated that in the north of Wiltshire the condition of the agricultural labourers is very different from that described by the hon. Member for Brighton, as existing in his part of Wiltshire. In North Wiltshire the iron-works and quarries may create such a demand for labour as to insure fair wages to the agricultural population. It is otherwise in South Wiltshire. There during the winter months it is usual to give steady employment to the married labourers, while a large portion of the unmarried labourers are thrown upon the poor rates. I once offered to find employment for 100 labourers in one part of that county, where I was assured that while the married men during the winter earned only 8*s.* a week, the unmarried men were supported by the poor rates. That showed something radically wrong. It arose from the same cause which has created that miserable state of society in Spitalfields and other parts of the metropolis—the improper distribution of manufacturing labour; and this arises from ignorance. A fact was brought to my knowledge at the Educational Department, that where schools were opened in the Western Islands, and where the inhabitants learned English, from that moment emigration began, the population diminished, and the condition of those who remained began to improve. I believe that the emigration which has done so much for Ireland, may be traced far more to the increased knowledge of the people, in regard to the resources of other countries than to the misery experienced in Ireland. The same misery has been endured by a portion of the population at the East End of London, among whom a state of ignorance exists which it is difficult to believe. There are in our populous districts and in our large cities many industrial interests which, as well as the agricultural districts, are well deserving the attention of the House; but I agree with the hon. Member for Halifax (Mr. Akroyd), that much of the success which has attended our factory legislation is owing to the fact that we have proceeded gradually and cautiously. At the same time, I think that the amount of experience we have gained justifies a much bolder application of the principle of those acts. No doubt we shall hear from the right hon. Gentleman at the Home Office that it will be his happiness and privilege to introduce a measure which will affect millions of our working population. It will probably have a wide scope, and embrace all but the agricultural population, and when that is done it will be impossible to keep out the agricultural population. The hon. Member for Brighton has made various suggestions as to the manner in which the half-time system may be applied to the agricultural population. I would add another, suited to the conditions of labour in the rural districts — namely, that attendance at school should be secured, not for so many hours in a day, or so many days in a week, but for a certain number of days in the year. But whatever may be the scheme adopted, I have no doubt that Parliament will evince towards the agricultural population the same kind and considerate spirit which has animated its legislation towards their manufacturing brethren.

MR. WALPOLE: Sir, the subject is one which, when the facts are fully before us, must engage the early attention of the Government and the House. In this question collateral topics of immense importance have been brought under our notice; but I shall be best discharging my duty by confining myself to the terms of the Motion before us, and giving my opinion with regard to that only. At the same time, I cannot wholly pass by the able observations of the hon. Member for Brighton upon the general questions of extending education by rates levied universally, so as to enforce the means of education in places now unprovided for. The hon. Member will forgive me for saying that this is a question which has excited so much controversy in this House that he will excuse me if I do not follow him into it. Still, I will not disguise either from him or from the House that I do think that the general question of education must come, and at no distant period, under the immediate consideration of the House, for the purpose of extending the benefits of education, especially in those poorer districts, where the means of education are less generally provided. I now pass to the terms of the Motion. My hon. Friend, followed by the hon. Member for Halifax, has dealt powerfully and justly on that which, after long discussion, is now an admitted fact, that the provisions of the Factory Acts have contributed to the advantage of all classes of the community. The hon. Member for the West Riding (Sir Francis Crossley), not only to-night, but on previous occasions, has expressed an opinion — and no opinion is entitled to more weight than that of the hon. Member on such a subject—that the beneficial operation of these Acts is felt both by masters and men, especially with regard to the spread of education among the operatives of our manufacturing towns. But I wish to ask the hon. Member for Brighton whether there are not conditions and circumstances connected with trades in large towns which make it difficult—I will not say impossible—to extend the operation of those Acts to rural districts, even in regard to compelling education. I will not say that some of the provisions of those Acts may not be extended to the rural districts; but, taking the words of his Motion, I would suggest that the condition and circumstances of the rural districts are such that the provisions of the Factory Acts, even in regard to education — to which subject his Motion is confined—are not so applicable to agricultural districts as to the larger towns. He was not, I think, quite so successful in meeting the objections to the application of the Act to rural districts as in other parts of his speech. Consider what the principles of the Factory Act are with regard to education. They are that the children engaged in factories shall be compulsorily required to attend school—that they may attend those schools either on alternate days for not less than five and a half hours, or on every day in the week for three hours at a time at one part of the year, and two hours at another. These provisions are enforced partly by penalties on the parents, partly by certificates; and the means by which these penalties are enforced is by a general inspection. This can be done in your larger towns where the houses of the parents of the children are not far removed from the place of work, where the schools are known, and the means of inspection either insure proper attendance of the children or prevent them from working in the factory. But when you apply these conditions to the rural districts the reverse is the case. The houses of the parents are removed from the fields in which they are employed. The schools will also often be distant, and if you adopt the system of morning and evening attendance, there is a danger of their not being enforced unless there is some one to see them carried into execution. I have some apprehension, recollecting an observation made at this side of the House, that it is essential for the early education of the young, that instruction must be as continuous as you can make it. If there be any interruption or break in the instruction it must impede the progress of the child in his educational studies. Let not my hon. Friend the Member for Brighton suppose that in making that observation I wish to thwart him in the object of obtaining a better education for the children in agricultural districts. I rather think the suggestion of the hon. Member for the West Riding would probably meet the difficulties better than any other I have heard made—namely, that when a child is required to work at agricultural labour, as children are in the factories, there should be a certificate given to state that the education of the child is going on at the same time. If, however, that should be done, it will not be following the provisions of the Factory Acts, though it perhaps may be effected by grafting on the Factory Acts a provision applying to children engaged in agricultural labour. My hon. Friend the Member for Brighton alluded to the valuable Reports of the Commissioners on Education—five folio volumes, which are applicable to all trades. I shall have to call attention to those Reports when stating the principles of the two Bills, relating to Factory Acts Extension and Hours of Labour Regulation, which I propose to introduce on Friday night; but bear in mind that in those five volumes you have not one single line respecting the children employed in the agricultural districts. The Commission has been extended so as to embrace an inquiry into the employment of those children; and since my hon. Friend the Member for Brighton put his notice on the paper, I have taken an opportunity of asking how soon we are likely to get a Report in reference to the children employed in gangs. I am informed that it will be presented to the Government very soon, and, of course, when it is presented to the Government it will be laid before the House. I think we shall be in a better position to deal with the subject when that Report is presented. I will frankly add that, having gone carefully through the Reports which have been made, I have arrived at the conclusion that some of the principles of the Factory Acts will have to be extended to the agricultural districts. Whether it will be necessary to extend the power of the Commissioners so that they may inquire, not only into cases in which children are employed in gangs, but also into cases in which they are employed not collectively, is a question on which I would rather not give any opinion now. I mention these matters now to show my hon. Friend that none of the topics which are material for a consideration of the subject have escaped the attention of Her Majesty's Government; but, looking at the terms of the proposal, and having made the declaration I have made, I trust my hon. Friend will not think it necessary by an abstract Motion to press his proposal to a division, because I think it may take another form when the facts are all before us. I have expressed my belief that the principles of the Factory Acts, in some form or other—what the form may be I do not now say—may be made applicable to children employed in agricultural districts. I should not, therefore, attempt to meet the proposal of my hon. Friend with a negative, nor should I like to even move the Previous Question; but, after what I have said, I hope he will not ask the House to come to any decision on his Motion.

MR. ALDERMAN LUSK said, he thanked the hon. Member for Brighton for bringing the subject forward. He liked to hear a subject of this kind discussed in the House of Commons, because it would cause the question to be considered throughout all the country. The time was come when the children through the country should be taught to read and write and do the simple sums in arithmetic. It was a question of great importance, and there was a most deplorable amount of ignorance prevailing which required some cure. There was no instrument in the world better calculated to promote the advancement of society than education, and though some people objected to the enforcement of compulsory education he did not see that it was any hardship at all. The State had as much right to compel a man to educate his children as to require him to feed and clothe them. On the contrary, it was a great benefit. It did not follow that compulsory education should be mixed up with disputes on matters of religion, for there was no more connection between religion and education than there was between a dissertation on science and a sermon.

MR. AYRTON wished to ask the Secretary of State for the Home Department whether, before they proceeded further in reference to the education of the people, they would have some opportunity of considering the mode in which that education was carried on under the Committee of Council. It was necessary for the House, before they extended the application of the Factory Acts, to consider the manner in which the public funds were administered on the subject of education, and whether they were properly distributed. At present the poor were to a great extent passed by, while the education supposed to be provided for them was given to large numbers of people who were capable of paying for it. The rural districts, to a great extent, were deprived of the educational grant. He felt obliged to the hon. Member for Brighton for bringing the subject forward, for the discussion was extremely useful, and might lead to very beneficial results. He trusted that after the assurance which had been given by the right hon. Gentleman the Home Secretary, his hon Friend would withdraw his Motion.

MR. WHALLEY said, the result of his experience was that, as education was now administered in this country, parents could not see what benefit their children derived from going to school, and therefore did not send them. It was a known fact that pauperism and crime were on the increase, and he believed the reason for all this was that the clergy generally took no interest in education, except for the purpose of crippling and confining the minds of their pupils in order to bring them to their own sectarian views. He hoped the right hon.

Gentleman the Home Secretary would give his attention to the question, as to what was the education to be administered so that it might be useful and profitable to the children themselves and to others.

Colonel W. STUART said, he thought he should be borne out by Gentlemen on both sides of the House in saying that the clergy generally had earnestly co-operated in measures for the general diffusion of education, and had not shown the sectarian and narrow-minded views imputed to them. No doubt there might be exceptional cases, but as a rule they had always endeavoured to advance the progress of education in its freest sense. While the clergy generally through the country desired that the Bible should not be ignored, they did everything in their power to facilitate education. In many places there were no schools except those which were supported by zealous and self-sacrificing clergymen. He believed that if the Government would encourage night schools as much as possible the great majority of the lower classes were ready and anxious to avail themselves of the opportunity thus offered them. In agricultural districts the difficulty was to get the children together. In his own parish a night school which had been formed was three or four miles from the homes of many of the children. He doubted whether it was practicable to educate the children in agricultural districts by an extension of the Factory Act for education.

Mr. FAWCETT said, it had been far from his intention to ignore the zeal shown on behalf of education by many country gentlemen and ministers of religion. Indeed, the very persons among these classes who had bestowed most time and attention upon that cause were precisely those who in all parts of the country had most emphatically implored him to stir in the matter, being fully persuaded of the necessity for their having additional powers. He had been greatly pleased with the whole tone of the discussion, and felt particularly gratified by the speech of the right hon. Gentleman the Home Secretary, not only because it was very kind and courteous towards him personally, but also because the right hon. Gentleman had evidently considered the practical difficulties of the subject. There were, however, none of those practical difficulties which had not been carefully considered by himself; and therefore he was the more confirmed in the opinion that the educational clauses of the Factory Acts might, with modifications, be applied to agriculture. He should be sorry to impede the passing of the measure for the extension of the Factory Acts which the right hon. Gentleman had promised to bring in. He believed the measure would be most valuable, and he thanked the right hon. Gentleman for undertaking to introduce it. After that discussion it was his present intention, with the assistance of his friends, to frame some clauses affecting agriculture which he desired to add to the right hon. Gentleman's Bill. Although he thought those clauses might be adopted, if he found when the Bill was discussed that they would in the least degree jeopardize the passing of the Government measure, he pledged himself at once to withdraw them.

Motion, by leave, *withdrawn.*

HYPOTHEC ABOLITION (SCOTLAND) BILL.—LEAVE.—FIRST READING.

Mr. CARNEGIE, in moving for leave to bring in a Bill for abolishing the Landlord's right of Hypothec in Scotland, said, he desired simply to state the reasons which had induced him to bring forward the measure. Two years ago he moved for and obtained a Royal Commission to investigate the subject. When the Commission came to the conclusion of their inquiries there was a difference of opinion as to their Report, and of course the actual Report was the Report of the majority. He (Mr. Carnegie), in conjunction with the hon. and learned Gentleman the Member for Wigton (Mr. Young) and two other experienced Members of the Commission, dissented from that Report. He understood there had been introduced into "another place" a Bill embodying the recommendation of the Report of the Commission. Under these circumstances, he had thought it his duty to prepare a Bill embodying the opinions of the minority of the Commission. If the Bill were read a first time now, he proposed to fix the second reading for a comparatively remote day, in order that persons in Scotland, interested in the subject, might have ample opportunities of considering it.

Sir GRAHAM MONTGOMERY said, he would not offer any opposition to the introduction of the Bill, but he reserved full liberty to oppose it at its future stages.

Motion *agreed to.*

Bill for the abolition of the Landlord's right of Hypothec in Scotland, *ordered* to be brought in by Mr. Carnegie, Mr. Fordyce, and Mr. Edward Craufurd.

Bill *presented*, and read the first time. [Bill 54.]

METROPOLITAN IMPROVEMENTS BILL.

On Motion of Mr. Ayrton, Bill to make better provision for the raising of money to be applied in the execution of works of permanent improvement in the Metropolis, *ordered* to be brought in by Mr. Ayrton and Mr. Tite.

Bill *presented*, and read the first time. [Bill 55.]

House adjourned at
Eleven o'clock.

HOUSE OF COMMONS,

Wednesday, February 27, 1867.

MINUTES.]—New Writ Issued—*For* Salop (Southern Division), *v.* Colonel the Hon. Percy Egerton Herbert, Treasurer of the Household.

Public Bills—*Second Reading*—Transubstantiation, &c., Declaration Abolition [6]; Offices and Oaths [7]; Dublin University Professorships [10]; Execution of Deeds [26]; Sale and Purchase of Shares [38], debate *adjourned.*

SWANSEA VALE RAILWAY BILL.

(*by Order.*) SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."

Colonel **SOMERSET** said, he rose to move that the Bill be read a second time that day six months, on the ground that it had already been rejected by Parliament.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Colonel Somerset.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. **ROEBUCK** said, he had often opposed the discussion of Private Bills in that House on the second reading, and he thought this Bill had better be sent to a Committee.

Mr. **DILLWYN** said, that it was quite true that it was one of a batch of Bills thrown out last Session by the House of Lords; but it had passed this House, and it was generally admitted, in the inquiry before the Committee, that the Vale of Swansea required more railway accommodation for the development of its mineral wealth.

Mr. **DODSON** said, that a *primâ facie* case was made out in favour of the Bill last year; that it had come back this year without a competitor; and it might be expected that it had been modified to avoid the opposition which last year proved fatal to it.

Amendment, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed.*

IRELAND—BISHOP MORIARTY.

EXPLANATION.

Lord **NAAS** said, that in moving the second reading of the Habeas Corpus Suspension (Ireland) Act Continuance Bill on Tuesday last, he stated that when the Roman Catholic Bishop Moriarty was addressing a large gathering of his flock at Killarney against Fenianism, there were in the congregation sufficient sympathisers with the Fenian movement to induce a certain number of young men to leave the church while the Bishop was speaking. He (Lord Naas) made the statement on what he then believed to be undoubted authority. He was happy to say that, on further inquiry, he found that the statement was not accurate. Three or four lines from a letter by Dr. Moriarty completely set the question at rest, and showed that no one left the church in consequence of what was addressed to the congregation. Dr. Moriarty said that he never addressed a more attentive audience; that he spoke on Fenianism after the conclusion of the usual service; and that as he had preached a long sermon on the gospel of the day, it was possible some women and children might have gone out. He had great pleasure in making this statement, and it was his belief that what he had formerly stated was the result of inaccurate information.

BRITISH NORTH AMERICA BILL.

QUESTION.

Mr. **HADFIELD** said, he rose to ask of the Government, Why it was that the second reading of this Bill had been fixed for to-morrow. It was one which affected 4,000,000 of people, and upon which great doubts and differences of opinion were entertained. It was not yet printed, and was of so important a character that he thought some time ought to elapse after it was in the hands of Members before it was introduced, in order that some little consultation should take place upon it. He was not at all sure that he should be opposed to it, but he certainly required more time to consider it.

LORD NAAS said, he would remind the hon. Member that the measure, having passed the House of Lords, he would have no difficulty in obtaining a copy and studying its provisions. The Government were very anxious that the statement to be made by the Under Secretary for the Colonies should be before the country as soon as possible. He hoped, therefore, that no objection would be taken to passing the Bill through its second stage to-morrow; but in case of any discussion arising, and it being thought necessary to debate its provisions, the Government would interpose no objections to the adjournment of the debate.

TRANSUBSTANTIATION, &c., DECLARATION ABOLITION BILL—[BILL 6.]

(*Sir Colman O'Loghlen, Mr. Cogan, Sir John Gray.*)

SECOND READING.

Order for Second Reading read.

SIR COLMAN O'LOGHLEN said, that as he had been informed that no opposition was to be offered to the second reading of this Bill, the hon. Member for North Warwickshire (Mr. Newdegate) having given notice of an Amendment in the next stage of the Bill, he would not detain the House by any lengthened remarks. The object of the Bill was to get rid of an offensive and insulting Declaration on the Statute Book, dating as far back as the reign of Charles II. The terms of the Declaration he would not read. It stigmatised some of the most sacred doctrines and ceremonies of the Catholic Church as superstitious and idolatrous; and he did not think that there was one hon. Member in the House who would advocate the retention of that Declaration. In 1829 the Declaration was abandoned in respect to every office open to Roman Catholics; but it was to the present time required to be taken by the Lord Chancellor of England, the Lord Chancellor of Ireland, the Lord Lieutenant of Ireland, the Chancellors of the Universities of Oxford, Cambridge, and Dublin, and by every office-holder under the Crown who by law could not be a Roman Catholic. The object of the Bill was to do away with this Declaration. It did not touch the qualification for any office. It left the law as it was, but abolished the Declaration. He introduced this Bill last Session when it was sanctioned by this House, and was sent up to the Lords; but the noble Earl, now the First Lord of the Treasury, thought it necessary to stop the further progress of the measure, on the ground that a Royal Commission had been appointed to inquire into the general subject of oaths, and was then sitting. That Commission had not yet made their Report; and he (Sir Colman O'Loghlen) felt it to be his duty on the first night of the Session to bring the subject before the House, as he thought it disgraceful that the Declaration should longer remain on the Statute Book. It was true, as was remarked last year by a venerable Peer, who assumed the guardianship of Protestant interests in the other House, that the Declaration was one which the Sovereign was obliged to make at her coronation; but this Bill did not interfere with the Sovereign. Whether the obligation to take this Declaration ought to be retained for the Sovereign was a matter for consideration; but this Bill did not apply at all to the Sovereign, but only to certain office-holders under the Crown.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

MR. NEWDEGATE said, he wished to take this opportunity of stating that he had given notice of an Amendment to this Bill in Committee to the effect that the substance of the Declaration should be retained, but that its offensive terms should be avoided by the substitution of new ones. He must observe that this Declaration had existed since the time of Charles II., and that the terms of it had never till now been stigmatised. It seemed that Roman Catholic gentlemen in the present day had become more sensitive than their forefathers. It was not for him to complain of the change of feeling that had taken place. His only object was to alter the Declaration in such a manner as to get rid of what was offensive in its phraseology. There was a strong feeling out of doors against the Offices and Oaths Bill, which stood next on the paper, and the object of which was nearly the same as that of the present Bill, and with regard to which he held a petition in his hand.

MR. SPEAKER: The hon. Member cannot present a petition at this stage of the Bill.

MR. NEWDEGATE: Not at the second reading?

MR. SPEAKER: Not after the second reading has been moved.

Motion *agreed to.*

Bill read a second time, and *committed* for *Tuesday* 12th March.

OFFICES AND OATHS BILL—[BILL 7.]

(*Sir Colman O'Loghlen, Mr. Cogan, Sir John Gray.*)

SECOND READING.

Order for Second Reading read.

MR. NEWDEGATE: May I be allowed to present petitions now?

MR. SPEAKER: Yes.

MR. NEWDEGATE then presented several petitions against the Bill.

SIR COLMAN O'LOGHLEN said, in proposing the second reading of this Bill, to which the hon. Member for North Warwickshire (Mr. Newdegate) had given notice of an Amendment that the second reading be deferred for six months, he admitted that it was a supplement to the last Bill. The object of that Bill was to repeal an obnoxious Declaration, while the present Bill proposed to open several offices to Roman Catholics from which they were excluded by that Declaration. It was therefore a Bill of considerable importance. At the time when Catholic Emancipation was carried in 1829, there were five offices expressly kept from Roman Catholics. The first was the Regent of the Kingdom; the second, the Lord Chancellorship of England; the third, the Lord Chancellorship of Ireland; the fourth, the Lord Lieutenantcy of Ireland; and the fifth, the office of Representative of Her Majesty at the Presbyterian Assembly or Synod at Edinburgh. As to the first of these offices he did not seek to open it to the Roman Catholics; nor did he propose that a Roman Catholic should be Her Majesty's Representative to the Edinburgh Assembly. But the other three offices, he thought, might be fairly opened to Roman Catholics; and it was with regard to two of these three offices that the Bill professed to deal: for the Bill did not touch the office of Lord Chancellor of England. He was well aware that there were persons whom he might call "old women of both sexes," who believed that the Lord Chancellor of England was the Keeper of the conscience of the Crown, and that Her Majesty consulted him on every question of faith and conscience. They also thought that the Lord Chancellor had to decide on all questions of doctrine and discipline in the Church of England. This was all fallacy; but, for the present, he did not propose to offend those prejudices. The two offices he proposed to open to Roman Catholics—he should say also to Jews—were those of the Lord Chancellor of Ireland and the Lord Lieutenant. A Bill seeking to open the office of Lord Lieutenant of Ireland to Roman Catholics was introduced into that House in 1859, and it was supported by two very distinguished Members, both now deceased, Sir George Cornewall Lewis and Lord Palmerston, and also by the right hon. Gentleman the Member for South Lancashire, (Mr. Gladstone). It was, however, introduced so late in the Session, and it was met with so determined an opposition by the hon. Member for North Warwickshire, that it was withdrawn, and the subject had not been since brought before the House. There was no reason whatsoever why the Lord Chancellor of Ireland should not be a Roman Catholic. He had no ecclesiastical patronage of any kind, excepting two small vicarages in Dublin to which he and four others had a right of nomination. His share, therefore, was but one-fifth of this very small patronage, and so seldom could the five patrons be got to agree, that the nomination in fact lapsed to the Archbishop of Dublin. The Lord Chancellor of Ireland was, in fact, nothing but one of the Irish Ministry, and the Chief Equity Judge of Ireland; and in either capacity there was no reason why a Roman Catholic should not hold the office. The Chief Secretary might be a Roman Catholic, the Attorney General might be a Roman Catholic, and at this moment was a Roman Catholic, and every Minister of the Crown might be a Roman Catholic. Therefore, there was no reason why the Lord Chancellor of Ireland might not be a Roman Catholic. A Roman Catholic might be a Judge of Appeal, and in that capacity might reverse the decision of the Lord Chancellor. Thirty years had elapsed since Roman Catholics had been raised to the bench in Ireland. He believed that his own father was the first Roman Catholic that ever was placed on the judicial bench from the time of the Revolution, and he ventured to say that a breath of calumny had never rested on a Roman Catholic Judge for the manner in which he had discharged his duties to the Sovereign, nor had the slightest question as to his impartiality ever been raised. There was, then, no ground whatsoever for excepting the Chief Judgeship in Equity from the Roman Catholics. It might be said, however, that it might be dangerous to have a Roman Catholic Lord Chancellor, because he had the control of the magistracy. But it was the lords-lieutenant of counties who virtually appointed the magistrates, and every one of the lords-lieutenant might be Roman Catholics. So, also, the Chancellor of the Duchy of Lancaster in England, who had the appointment of magistrates, might be a Roman Catholic. There was, therefore, nothing in the office of Lord Chancellor to prevent its being open to Roman Catholics; and it was a badge or mark of inferiority on the Roman Catholic members of the Irish Bar, to say that Roman Catholics should not be eligible to the office of Chief Judge in Equity. The Attorney General for Ireland was a Roman Catholic, the Solicitor General was a Protestant; and, according to the existing law the highest of these officers could not become Lord Chancellor, while the inferior officer could. He now came to the question of the Lord Lieutenacy. He did not ask that a Roman Catholic should be appointed to the office of Lord Lieutenant; that must be left to the Crown; but he saw no reason why the Premier Duke and Earl Marshal of England, for instance, if otherwise suitable, should not become Lord Lieutenant of Ireland simply because he believed in Transubstantiation. It might be said that the Sovereign and the Government being Protestant, the representative should be Protestant. But the Governor General of Canada, the Governor General of New South Wales, and other representatives of Royalty, might be Catholics; and he saw no reason why a ban should be placed on Roman Catholics in Ireland. There was nothing that required the Lord Lieutenant to be an Episcopalian. He might be of any religion except the Roman Catholic and the Jewish. He might be a Presbyterian, or a Socinian, or anything else; but he must not be a Catholic or a Jew. It might be objected that the Lord Lieutenant had extensive Church patronage. That was true. But the Bill provided that if the office of Lord Lieutenant should be held by any person, not a member of the Church of England, the Church patronage should vest in a person to be appointed by the Queen, under her Sign Manual, or, failing such appointment by the Crown, in the Archbishop of Armagh, the head of the Established Church in Ireland. The next provision of the Bill was to enable Mayors, and other corporate officers, if they thought proper, to attend their own places of worship in their official robes. In the Catholic Emancipation Act there was a clause enacting that any person holding a judicial or civil office, or any mayor, bailiff, or other corporate officer, who should resort to a place of worship other than one of the United Church of England and Ireland, or the Presbyterian Church of Scotland, in a robe, gown, or insignia of office. should forfeit his office and pay a fine of £100. This was petty, pitiful legislation. The time was come when this should be repealed. When Mr. O'Connell was Lord Mayor of Dublin—he was the first to show the folly of the enactment—he went in state, in a state carriage, attended by all his officials, to a Roman Catholic Church, and as soon as he reached the church he got out of the carriage, took off his robes, and deposited them in the carriage, then he went into the church, and after service he resumed his robes and rode back in his carriage, thus showing what he thought of such a miserable piece of legislation. Now, surely these cobwebs of intolerance ought to be swept away. The next clause related to the oath. Last Session, a general form of oath had been prescribed for Members of that House, and he proposed that it should be substituted for that still required to be taken by all Catholic office-holders and professional men, who were at present bound to take an oath which that House had pronounced to be offensive and insulting. It might be said that to make this proposal was premature, because the Commission on Oaths was still sitting. But his reply to this was that the Commission had not yet reported, and that if they did report this Session it by no means followed that immediate legislation would be the result. The proposal he now made was simply this: that the oath adopted by the House last year for all its Members should be the one to be imposed in all cases for the future; and if the Commission should recommend any other form, and it should be approved of by the House, there would be no difficulty in effecting the substitution. The hon. Gentleman the Member for North Warwickshire (Mr. Newdegate) had given notice of an Amendment to defer the second reading of the Bill till that day six months. Now, he respected the sincerity and the courage with which the hon. Gentleman always came to the front as often as he imagined that the Protestant institutions of the country were in danger. But he wished that the hon. Gentleman would at least show some reasonable ground of objection to the Bill, and not indulge in vague declamation about the settlement of 1829, the policy of Sir Robert Peel, or the letters that have passed between the Czar and the Pope of Rome. As to the settlement of 1829, he believed that neither that nor any other arrangement would be accepted as final until all the offices of the State were open to all the subjects of the Queen, irrespective of their religious creeds. He did not bring forward this measure as one that crowned the edifice of religious toleration, but only as one step further towards that great consummation; and he trusted that it would not only be carried, but carried by such a majority as to ensure its safe passage through the other House.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

MR. SCHREIBER said, that a short time ago, in a Committee upstairs, the hon. and learned Baronet who had introduced this Bill (Sir Colman O'Loghlen), together with four other Members of the House, had discharged in his regard certain judicial or *quasi*-judicial functions in a manner so satisfactory to him that he ought to be the last man in the House to offer any opposition to his being made Lord Chancellor of Ireland, or raised to any other office to which his ambition might aspire, and his undoubted abilities entitled him. He trusted, therefore, in any remarks he might think it his duty to make, he should not give pain to the hon. Baronet. This Session was not far advanced, and already they had proof of the value attached to Parliamentary settlements or compacts. Only last Wednesday the House was called upon to defend a settlement not seven years old, and today a settlement was assailed, which had the sanction of thirty-eight years. That great statesman, Sir Robert Peel, accompanied his measure for the removal of Roman Catholic disabilities by what in the language of the day was called "securities" and "safeguards," which it was the object of this Bill to take away. The object of Sir Robert Peel, he conceived, was twofold. He knew the system with which he had to deal, and he knew that he could not carry the Bill without conditions. He knew the activity of the Roman Catholic Church, its ambition, its marvellous organization, its impatience of equality, the career of agression which he was opening to the energies of Roman Catholics, and he desired that his Protestant fellow-subjects should at least start even in the race; and so he handicapped the Roman Catholics. If Roman Catholic gentlemen were wise, they would not quarrel with the conditions of the race. They were the price of the liberty which they enjoyed in this Protestant country—in countries where they did the handicapping they were not very nice about the weights. So far from viewing the attitude and action of Protestants in this matter as offensive or aggressive, he regarded it simply as defensive, and as something conveying a compliment to the superior organization of the Roman Catholic system. Sir Robert Peel knew his Bill would not pass without these makeweights, and it was now matter for the conscience and honour of Roman Catholic gentlemen to say how far, having obtained relief on certain conditions, they were free to reject the conditions while they continued to enjoy the relief. What was the language of Sir Robert Peel in proposing the restrictions which the hon. Baronet would now remove? It was this—

> "This Bill will exclude the Roman Catholic from the office of Regent, and from exercising, under any circumstances, the delegated authority of the Crown; from the office of Lord Chancellor in England and Ireland respectively, and from the office of Lord Lieutenant of Ireland."—[2 *Hansard*, xx. 763.]

Now, he considered the object of Sir Robert Peel to have been the hedging-in by out-works of that Protestant succession to the Throne which was the citadel of our liberties. The Lord Lieutenant of Ireland was the representative of the Sovereign, the Lord Chancellor of Ireland was his constitutional Adviser—their relative position was exactly analogous to that of the Sovereign and Lord Chancellor in this country; and for his part he entirely failed to understand how any argument which applied to the former could not with the greatest ease be transferred to the latter. The hon. Baronet (Sir Colman O'Loghlen) went on to speak of the restrictions upon Mayors in their attendance upon public worship, and called them "cobwebs of intolerance." Why, then, was he so anxious to get rid of them? Cobwebs, at least, were not galling fetters. With regard to the oath it would be premature to arrive at any decision until the Report of the Commission had been received. When this question was discussed in 1859 the right hon. Gentleman (Mr. Gladstone), then Chancellor of the Exchequer, spoke of the arguments advanced against the Lord Chancellor of Ireland being a Roman Catholic as trivial, paltry, and secondary. To him, on the contrary, they appeared most weighty and momentous. Assuredly, it was not a right thing to disturb a solemn settlement of Parliament; and he would tell hon. Gentlemen opposite they would not find it a light thing if they persisted in Motions of this kind. The people of England were liberal and tolerant because they were Protestant; but, liberal and tolerant though they were, let them once think that Motions of this kind were aimed at the Act of Settlement and the Protestant Succession, and hon. Gentlemen would find that they had evoked a spirit which might be dormant, but which was not dead.

Mr. KER objected to the Bill, on the ground that it was nothing more than introducing the small end of the wedge.

Mr. BAGWELL said, there were two parties aggrieved by these restrictions, the Irish Protestant proprietors, of whom he was one, and a vast Catholic majority of the population of Ireland. As a Protestant, he felt that every one of the differences between the members of the two religious bodies was a decided evil. In the common intercourse of life, it could not but be felt that there was a great difference between Protestant and Catholic, and why should it exist? A great many of those distinctions had been swept away, from time to time; a few, however, still remained, just as if, when the Parliament of this country found it necessary to legislate in a spirit of forbearance, they still wished to leave some sting behind, as if to remind the Irish people that they were a conquered and degraded race. Did anyone imagine that the Protestant religion or the Church Establishment was strengthened by such a course? On the contrary, every restriction upon the Catholic was a source of weakness to the Protestants who were in such a minority in Ireland. The more English gentlemen considered the position of Irish Protestants, the more they would be inclined not to lower the Protestant to the Catholic level, but to raise the Catholic to a position of equality with the Protestant. Questions of this kind were oftener cropping up in that House than in Ireland, because the Irish Protestants found that the more they kept those matters in the dark, the better for themselves. The question about Cardinal Cullen was not raised in Ireland. It was known there that he was a Cardinal—a Prince of the Church—and when he appeared at the banquet of the Lord Mayor, it was taken for granted that he would be recognised as a great fact in the State. As a Protestant, he would wish that all his countrymen were Protestants; but as that could not be, his wish was that they should be all equal. He did not see why the Lord Lieutenant should not be a Roman Catholic; and, as for the office of Lord Chancellor, he was sure that it would be a most wise proceeding to leave it open to Roman Catholics. It had done great good in Ireland to have Roman Catholic Judges, because justice was not only fairly administered, but it was administered with the cheerful acquiescence of the people. In making that remark, he did not mean to imply that justice had not been fairly administered, when there were none but Protestant Judges. He could not see, for the life of him, why the present distinctions should be maintained, and he therefore wished most sincerely that the Bill should pass.

Mr. ROEBUCK said, he was always grieved when a discussion of this kind took place in the House. From long experience he had come to the conclusion that all the subjects of Her Majesty should before the law be placed upon a perfect equality. He was very anxious to learn from the responsible advisers of the House what was their view of the Bill? The hon. Gentleman the Member for Cheltenham (Mr. Schreiber) had made use of some remarkable expressions. He said that the English people were tolerant because they were Protestant. Now, that was not his (Mr. Roebuck's) view. They were tolerant because they were enlightened. He was very glad that the hon. Gentleman pointed to the fact that other nations, when they "handicapped" the Protestant, did not act with the same tolerance that we did. And why did they not? Not because they were Catholics, but because they were not enlightened. Another expression made use of by the hon.

Gentleman was that Sir Robert Peel "handicapped" the Roman Catholics. Now, what was the meaning of handicapping? It was putting a weight upon the better horse. Was that the position in which the hon. Member considered himself in reference to the Roman Catholic? Did he want the Roman Catholic to be weighted because he was a better man than the hon. Gentleman? When the hon. Member again made use of illustrations, he would advise him to be careful of the consequences. Now, if hon. Gentlemen recurred to history with respect to this matter, they would soon come to a definite conclusion. When these restrictions were put upon the Roman Catholics they were put upon them by the most enlightened and tolerant men in England; and when he found that they were justified and approved by such men as Milton and Locke, he did believe that it was at that time necessary, for the safeguard of the Protestant religion, to impose them. But times had changed. We had tried a great experiment by means of the Act passed in 1829; and what had been the consequence? Had it resulted in any injury to England? Had it diminished the safety of the Protestant succession? Did the hon. Gentleman believe for a moment, or did he profess before the House to believe, that there was any danger from the Bill to the Protestant succession? and, if not, what danger was there at all? It was fair to say that there was something in the power of high officials who might have in their hands the distribution of Church patronage. But the Bill of the hon. and learned Gentleman took away from those officers, if they became Catholics, that very patronage, and put it into hands which nobody could object to — namely, those of the Archbishop of Armagh or the Crown. The hon. Member referred to another point, which his hon. and learned Friend (Sir Colman O'Loghlen) had called "cobwebs," and the hon. Gentleman asked, would he sweep away those cobwebs? Why not? If he found a cobweb in his room, with the other dirt in it, why not sweep it away? He could not, therefore, accept the illustration of the hon. Gentleman, and admit that those "cobwebs of intolerance" should remain. There was a case in literary history, in which a great poet, in his estimation—Pope—who was a Roman Catholic, had a great friend, Martha Blount, who was also a Roman Catholic, and another great friend the Mayor of Bath, and they were told that the Mayor used to send his carriage to take Martha Blount to a Roman Catholic chapel. Well, what harm did that do to the Protestant succession? And what would be the harm now to allow the Lord Mayor of York, if he were an Anabaptist, or Dissenter of another kind, to go to his place of worship in his robes? In fact, the whole matter of these restrictions had become an utter farce. Well, let them look at the whole matter as rational men. He recollected, when he was in Ireland, talking to a dignitary of the Roman Catholic Church about what they had so often heard of in that House—the wrongs of Ireland; and he said to this gentleman, "Will you be good enough to point out a real grievance under which you suffer except it be that of the Established Church?" He could not put his finger on any grievance but the very prohibitions which this Bill sought to abolish; and he replied, "I do not think much of that grievance." He trusted that the Government, going to the front of an enlightened people on this occasion, would agree to this Bill; and, if so, that they would pass it in such a way that the bigotry of the other House would not be encouraged to reject it. If, however, the Government should put themselves on a line with the narrow-minded bigotry of this country, then he pitied them, and he did not think that such a course would do them much honour.

Mr. NEWDEGATE: Sir, I feel much indebted to the hon. Member for Cheltenham (Mr. Schreiber) for having interposed in this debate, and for the ability with which he has done so. I feel that on these subjects too much has been left to me by those with whom I agree in opinion on these questions. The House has suffered a grievous loss—a twofold loss—first in the removal of Sir Hugh Cairns, who has reaped the well-merited reward of his professional eminence; and secondly, by the promotion of Sir James Whiteside to the judicial position which he adorns on the Bench of the sister country. We have lost, by the promotion of these two eminent men, an amount of experience, ability, and eloquence which I fear for years we shall not see replaced. Neither of these eminent men was ashamed to be classed amongst those narrow-minded bigots, whose opinions the hon. and learned Member for Sheffield has condemned. The hon. and learned Member has given the House some information as to the manner in which he conducts his household affairs. I do not mean to doubt its efficiency; there probably are no more cobwebs in his chambers than there are in his brains; politically he is a rather rough-handed housemaid. The subject now before the House was considered in the Session of 1859, and again when Acts were passed last Session for the alteration of the oaths taken by Members of Parliament. I felt no grievance in taking the oaths which have been taken by the Protestant Members of this House. I have seen no one unwilling to take them; the House framed these oaths in 1858, and again last Session, so as to accommodate them to the circumstances of the country, as they now exist. But the hon. and learned Member for Sheffield asks, what danger is there in this Bill, or in modern legislation, to the Act of Settlement. I would remind him that the Oaths Bill, as introduced by the late Government, contained in the oath proposed for Members of Parliament no reference to the Act of Settlement. But so strong was the feeling of this House with respect to the Act of Settlement, by which the monarchy of this country is established upon the basis won by our forefathers through the Revolution of 1688—that Act of Settlement which embodied the Bill of Rights—that Act of Settlement, which not only secures the Throne to the descendants of the Electress Sophia of Hanover, being Protestants, but which also secures the freedom and the rights of the subjects of this free country, Roman Catholics as well as Protestants—so strong was the feeling of this House, that in the oaths, taken by Members of Parliament, holding as we do so large a share of the Imperial power, the Act of Settlement should be recognised, that on the Motion of the present Chancellor of the Exchequer this House, without a division, decided that a recognition of that Act of Settlement should be inserted in the oath. It was proposed that another addition, or rather restoration, should be made to the oath, which future Members of Parliament are to be required to take. That addition was the restoration, the re-introduction of those terms of the oath which all the Protestant Members of the House have taken, and by which we have abjured any foreign jurisdiction within this country. A division was taken in a very full House, and that Amendment was lost by only fifteen votes. The hon. and learned Member, in speaking of these matters, made no reference to a circumstance that was alluded to by the hon. Member who spoke just before him. That hon. Member said that he rejoiced that a cardinal had appeared in the attire of his function as Cardinal Legate—at the inaugural banquet of the Lord Mayor of Dublin. Well, Sir, most writers for the newspapers seem to consider that a very significant circumstance. I also considered it a very significant circumstance, and hence the question which I put to the Chancellor of the Exchequer on the subject. The Legislature has foreseen that the appearance of any such representative of the Court of Rome would be a very significant circumstance. In the year 1848 the Government of that day proposed that diplomatic relations should be opened with the Court of Rome, and introduced a Bill into the House of Lords for that purpose. That Bill proposed to recognise the Sovereign Pontiff, not as the Sovereign of the Papal States in Italy, but as that, which he claims to be, the Sovereign Pontiff of the whole world. Objections were entertained by persons, for whom I know the hon. and learned Member for Sheffield, in common with most others, felt great respect. The subject was considered by the late Duke of Wellington and the late Earl of Eglintoun, who proposed two Amendments — the one, declaring that England was ready to enter into diplomatic relations with the Sovereign of the Court of Rome, as Sovereign of the Italian States, but not in the character of Sovereign Pontiff, claiming an universal sovereignty, a claim which the present Pope has re-asserted by a brief issued only two years ago — the other Amendment, declaring that while England is ready to receive a diplomatic representative from his Holiness, in his temporal and Italian capacity only, she declares it to be illegal for the Pope to send any ecclesiastic to this country, as a Nuncio. These Amendments were unanimously adopted. And are these such light and trivial matters, that the hon. and learned Member for Sheffield is justified in speaking of them as cobwebs? Last Session I ventured, Sir, to urge upon the House that by removing the declaration in our oaths against the intrusion of any foreign authority into this country, the Legislature would encourage hopes—hopes that it did not intend to realize. It is in the sense of such hopes that I understand the presence of Cardinal Legate Cullen at the inaugural banquet of the Lord Mayor of Dublin, assuming the garb and precedence which Rome holds due to his functions. Hon. Members will excuse me if, before I come to the more immediate matter of this Bill, I allude to an observation that fell from the Chancellor of the Exchequer on Monday. The right hon. Gentleman said he did not know that Cardinal Cullen was a Legate from the Papal See. Now, I will show the House that I had high authority for so describing Cardinal Cullen. The history of this Cardinal Legate Cullen is a curious one. He was secretary to the Propaganda at Rome. The Propaganda, as hon. Members well know, was originally a missionary institution. Its position was altered in the year 1836 by a brief of the then Pope, and its authority was increased—a circumstance that has had more effect upon European politics than most people are aware. The brief was directed to Cardinal Zurla, and by that brief the whole of the missions of the regular orders of Rome, which are under the direction of the Propaganda, were placed under the control and under the authority of the Gesu—that is to say, under the direction of the Jesuits. On the 25th of May, in the year 1854, a high authority, no longer in this House, Sir Joseph Napier, said, in the debate upon the Oaths Bill then before the House—

> "I agree that nothing should be insisted on, which we can safely admit to be now superfluous, as having survived the claim against which it protests. But I have been startled to find an edition of the *Bullarium*, published in 1841, at Rome, in which a selection of bulls has been made and published by Dr. Cullen, then Director of the Press for the Propaganda, but now an Archbishop of the Church of Rome in Ireland; in this the bulls are selected 'for the purpose of having in readiness for the use of the Propaganda those documents, which can conduce to a right and expeditious consideration of affairs, the necessity or opportunity of consulting which might easily occur in the course of matters, frequently to be investigated by the Sacred Council.' Out of the sixty-six documents in the folio, *Bullarium*, Dr. Cullen selects eight. Of these eight, there is one in the last year of George II., another after the accession of George III. In both the title of the House of Hanover to the Throne is ignored, and the rightful title of the House of Stuart asserted. I saw the volumes myself, and I have extracts from them, and I own I am not ready to throw away our dusty shield, while these rusty swords are unsheathed in the reign of our present Queen by those who best know what is obsolete and what is effective in the Papal system. The preface of this work, which was prepared by Dr. Cullen, refers to the Apostolical letters which have been promulgated from 1745 to the time at which he wrote, and amongst these are several bulls treating the House of Stuart as lawfully entitled to the Throne of Great Britain. These are not dealt with as obsolete records, but selected for special and present use. Let the noble Lord pause, and understand what he is really doing, before he cuts down the oath of abjuration; let him be sure that he is safe, and let there be a preamble distinctly reciting the facts and reasons sufficient to justify any deliberate change; let him read the Papal line of succession to the Throne, as it is given in the *Hibernia Dominicana*, page 148, and let him ask this further question, 'Did Rome treat an oath as valueless when, in the Synod, holden in 1852, where Dr. Cullen presided as the Papal Legate, each Bishop swore according to the oath fashioned in 1564, "to yield true obedience to the Pope, as vicar of Christ, and submission to all the canons and decretals, especially of the Council of Trent?'" There is, moreover, the special and solemn vow and swearing of each, as 'his subjects,' and the formal conclusion, 'So help me God and these holy Gospels.'"—[3 *Hansard*, cxxxiii. 912.]

I beg pardon for having read so lengthy an extract; but I think that authority should satisfy the House that the Legislature was right last Session in retaining in the oaths to be taken by Members of Parliament some recognition of the Act of Settlement, because in the present and modern edition of the *Bullarium*, published under the direction of the Pope, and compiled by Dr. Cullen as secretary of the Propaganda, the succession is, in fact, disputed; and it is this person who now appears—I will not declare in absolute contravention of the law, but, in my opinion, in a manner inconsistent with the intention and spirit of the law of this country, and inconsistent with International Law; it is this person who now appears on an official occasion in Dublin in the garb of a Cardinal, and who is described in every one of the public newspapers as Cardinal Legate of the Holy See—as Legate, a function which I have shown he held long before 1854—while the fact of his having since been made a Cardinal derogates nothing from his importance as a Legate, but is consistent with and increases it; because a Cardinal cannot be appointed to govern any province in the world for the Papacy without possessing legatine power. As history tells us, the last Cardinal who was received in England was Cardinal Pole, in the reign of Queen Mary, and he did not enter this country without permission. Lord Hastings and another Peer were sent by the Queen to bring him to this country, and so jealous were the English people, that even Bishop Gardiner, who was then Lord Chancellor, could not satisfy them until he compelled Cardinal Pole to take out a licence under the Great Seal, limiting the exercise of his legatine powers. The appearance of Cardinal Legate Cullen in his official robes is a very significant circumstance; for on no official occasion has a Cardinal Legate appeared in this country after such a style since Cardinal Pole appeared here by permission of the Sovereign and of the Parliament during the reign of Queen Mary. I will now proceed to the consideration of the details of the Bill before the House. The circumstances to which I have alluded induced me to consider this Bill as a matter of no slight importance. We are asked to open two important offices—the office of Lord Lieutenant and the office of Lord Chancellor—to Roman Catholics. The House will allow me to remind them of the opinion expressed by the late Sir Robert Peel on the subject. The hon. and learned Member for Sheffield was very angry with the hon. Member for Cheltenham for saying that in the Relief Act of 1829 Sir Robert Peel had handicapped the Roman Catholics. Now, I think the expression exactly and precisely applicable. For all purposes of agitation, for all purposes of aggression, the Roman Catholics in the United Kingdom are now combined under the authority of Cardinal Legate Cullen in Ireland and Cardinal Manning in England.

Sir GEORGE BOWYER: He is not a Cardinal.

Mr. NEWDEGATE: Well, then, Archbishop Manning.

Sir GEORGE BOWYER: Cardinal Cullen is a Cardinal, and not a Legate.

Mr. NEWDEGATE: The hon. and learned Gentleman denies everything—he denied this fact the other day; but I will ask him if a Committee of the House were appointed would he undertake to prove that Cardinal Cullen is not a Legate? I know he could not. But, Sir, I was alluding to the position of the Roman Catholics. It has always grieved me that the Roman Catholics of this country and of Ireland could not be safely intrusted with unrestricted freedom of action as against the national authority of this country. I know that the large body of the Roman Catholics of this country, if left to themselves, are too wise and too liberal to make any attack of the kind. But I cannot cast aside all knowledge of the enormous influence upon them, produced by the organization of the Church of Rome. There was and could be no provincial synod of the prelates of the Roman Catholic Church held in Ireland until a Papal Legate appeared there, whose presence, according to the well-known laws of the Papacy, is essential to the constitution of a provincial synod. The Legate has the supreme authority—something more than a veto; and, by the law of the Roman Church, every decree passed in the synod, thus canonically convened, commands obedience, as a religious obligation, from Roman Catholics. I know that Roman Catholics have resisted this Papal power—Italy to wit. But what is the result in Italy? Why this, that the Sovereign and the Legislature have been obliged to declare that the State can have no union, no relation, with the Church. Judging from this fact, may we not doubt the prudence of relaxing the safeguards which enable the Protestants of England to admit our Roman Catholic fellow-subjects without any restriction to all except the two highest positions of official authority? Sir Robert Peel, in 1828, whilst still opposed to the removal of the Roman Catholic disabilities, stated the matter very strongly. He said, "Can I leave out of account the pernicious tenets of the Roman Catholics, fraught as they are with"—what?—"evil to the institutions of civil society?" And, again, he said, "Of these two religions, one or the other must have the ascendancy." I never heard Sir Robert Peel spoken of as a light authority. These are his opinions, and I ask whether anything that has occurred during the reign of the present Pope has led us to believe that he has abandoned any of the pretensions to temporal authority, to civil jurisdiction, which his predecessors advanced, or that he will abandon any power of interference, which he can grasp in any country, whether Protestant or Roman Catholic? Why, look at the circumstances which are occurring. I alluded the other day to the circular despatch of Prince Gortschakoff, which shows that Russia has been obliged to break off all connection and diplomatic relation with Rome—the reason being that the Papacy has encouraged revolution within the Russian territories. What is the case with respect to the United States? At this moment there is a difficulty between the United States and the Papacy. And why is this? I hold in my hand an extract from a curious letter which appeared in one of the papers in the United States, and was quoted in *The Daily News* of the 26th of October last. Hence it appears that one of the Bishops of the Episcopal Church in the United States, not long before that date, visited Mrs. Jefferson Davis. She said she had a good feeling towards the

Papacy and the Sovereign Pontiff — because, speaking of the Southern Confederacy, "he was the only Prince in the world that really wished well to our cause, and sent us his blessing." And now I see by the newspapers that a diplomatic difficulty has arisen on this subject. What have we then? In the spirit of the crusades the Pope has made war upon Russia, and he has made war upon the United States, upon the great Empire which has just liberated its serfs, and upon the great Republic we are so often called upon to admire. Is this a Power that has relaxed either its pretensions or its disposition to interfere with other States? M. Dupin might well say "that the Papacy has forgotten nothing and learnt much." Works have appeared in this country showing that, according to an improved method, the same system of disturbance is now at work in England through the Jesuits, that was at work from the period of the Reformation, during the reign of Queen Elizabeth, during the reign of James I., during the reign of Charles I., during the Protectorate, during the reign of Charles II., during the whole time that the Stuarts reigned in England. A very able pamphlet has just appeared, from the pen of the Dean of Ripon, entitled *Rome's Tactics*, wherein are given authorities for these statements. The hon. and learned Member for Clare, who has introduced this Bill, asks us to open the offices of Lord Lieutenant and Lord Chancellor of Ireland to Roman Catholics. I opposed the Bill which was introduced by Sir William Somerville in 1859 for opening the office of Lord Chancellor to Roman Catholics. And why did I oppose that proposal? Because I think the Protestant Sovereign of these realms ought to have one judicial office in Ireland reserved for a person of her own creed and of her own policy. The hon. and learned Member for Sheffield has said that Protestants are not tolerant. Let him read, in the last number of the *Dublin Review*, an article in which the Inquisition is highly applauded. It is known that the publication was started by Cardinal Wiseman, and I believe it to be under the patronage of Cardinal Legate Cullen. [SIR GEORGE BOWYER: No, no!] Then these opinions are inherited from Cardinal Wiseman. In what Protestant State was there ever such an institution established as the Inquisition? It is notorious that our form of Christianity, where Protestantism is Christian—(I say nothing for Protestantism that is not Christian)—is tolerant, is known for its toleration, that it binds upon the conscience the duty of toleration, but it warns us also in the words of Locke, that we cannot give universal toleration to intolerance. It is to guard against the intolerance and interference of the Papacy that these offices have been wisely reserved to Protestants. The hon. and learned Gentleman says that there is little or no Church patronage attached to the office of Lord Chancellor of Ireland. Granted. But to whom on appeal come all questions relating to ecclesiastical jurisdiction? Why, to the Lord Chancellor of Ireland. When the Lord Lieutenant is absent the Lord Chancellor is *ex officio* one of the Lords Justices. He is therefore regent to the Viceroy, and in his absence is invested with regal powers and regal jurisdiction. I might use other arguments. In whom rests the control of all the property of infants? In the Lord Chancellor. But I come at once to the office of Lord Lieutenant. The Lord Lieutenant is the direct representative of the Protestant Sovereign, of the Protestant Crown of England in one part of the United Kingdom—a Crown that we have acknowledged in our oaths to be Protestant, and have declared that it is to remain Protestant, a Crown which, according to the oath we have framed for future Members of Parliament, must be Protestant. I ask is it too much that we reserve this office, connected with the direct representation of the Crown, to the faith to which the Crown is bound by the Act of Settlement and by the Coronation Oath? I say it is not too much. I believe, that acting in the spirit of liberalism, the Legislature has reached a point at which further concession is fraught with danger. It is evident that if we, in the sense of an equality, which Rome never admits—which Rome recommends to Protestant States, but never practises herself, either at Rome or where she has supreme control, as she has in Spain—I say if we proceed further and blindly in the direction of an equality, which Rome rejects, we shall endanger those great principles of toleration that have given to our Roman Catholic fellow-subjects—and I speak on the authority of Dr. Ennis, a Roman Catholic Bishop in Ireland, and of the Count Montalembert—a freedom such as they possess in no other country in the world. I beg to move that the Bill be read a second time this day six months.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Newdegate.*)

LORD NAAS: I shall not attempt to follow my hon. Friend (Mr. Newdegate) through the varied topics to which he has called attention; but I will state, as briefly as possible, my own opinion on the provisions of the Bill now before the House. We have heard a great deal to-day, and on former occasions, about the great settlement of 1829, and nobody can attach more importance to that settlement than I do. I believe that any attempt to break through that settlement, in any material point, would not only be strongly resisted by this House, but would have the unfortunate effect of reviving questions now happily settled. In considering this subject, however, we should bear in mind what were those safeguards which were supposed to be necessary at that time, and what were the dangers against which those safeguards were intended to provide? I apprehend that it was then anticipated by many that by the admission of Roman Catholics to equal civil rights, the interests of the Protestant religion would be weakened in this country. But all those great and eminent men who then advocated that admission, based all their arguments on the assumption that all those rights and liberties could be given to our Roman Catholic subjects, without in any way endangering the safety of our Protestant institutions. How far those anticipations have been realized, it is not for me now to discuss. Differences of opinion may, and, I believe, do exist upon the subject; but, so far as I am concerned, I believe firmly that the admission of Roman Catholics at that time to a full and equal share of civil rights has not in any way weakened or injured the influence and interests of the Protestant religion within this realm. That is the opinion I have ever held. That settlement was made thirty-eight years ago, and it cannot be alleged that it is an improper inquiry now to institute how far the safeguards and conditions made then have worked, and how far they are necessary for the attainment of the objects for which they were established and enacted. Some of the provisions of that great settlement have already been swept away. The alteration made in the oath provided by the Emancipation Act, for instance, has taken place without any unfortunate result; other provisions of that Act have fallen into disuse without, as far as I know, mischievous results. The position, therefore, taken up by those who declare that the provisions of that Act cannot be altered without danger to the Protestant religion, has been proved to be untenable. With regard to the Bill now before the House, the first and most important feature in it is the provision that, for the future, the Lord Lieutenant of Ireland may be a Roman Catholic. On that point I differ entirely from the hon. Gentleman who has charge of the Bill. I do not believe that anything could be proposed which would be more distasteful to a large proportion of the Protestant population of this country, as well as of Ireland. The position of the Lord Lieutenant of Ireland differs essentially from the position of every official in the service of the Crown. He is the direct representative of the Sovereign; and to him is delegated more extensive regal power than is held by any subject of Her Majesty, except, perhaps, in India. He is the direct representative of the Sovereign, and exercises much of the Sovereign's power; the whole patronage of the Crown, as regards the Irish Church, remains absolutely and completely in his charge. He is entirely responsible for the appointment of the Bishops, and in his relation to the Established Church stands very much in the position of the Sovereign. I think, then, that it would not be wise—looking to the actual duties which the Lord Lieutenant performs, and the position in which he stands—I do not think it would be wise, so long as the office exists—and I believe it will exist for a long time—to intrust such an office in the hands of any other person than a Protestant, and I believe that it could not be done without danger to the interests of the Protestant religion. My hon. and learned Friend mentioned the cases of the Viceroys of India and Canada; but their positions are totally different to that of the Viceroy of Ireland. In one case there is no constitutional Government at all; and the constitutional government in the other is of an entirely different nature and character to that in Ireland. Ireland is an integral part of the United Kingdom, and the Lord Lieutenant performs in great part those duties which are performed in this country by the Sovereign, so that as long as the monarch of this country must be by the Constitution Protestant, so long should the Irish Viceroy be of the same religion. With regard to the second portion of the Bill, however—which relates to the Lord Chancellor—my opinion is different. I own I have never been able to see why the restriction which prevents the Lord Chancellor of Ireland from being a Roman Catholic should be continued, or how the safety of the Established Church can be endangered by its removal. The most important functions which that great officer of the State performs are the ordinary judicial duties of the Chief Equity Judges. Those duties are almost precisely identical with those discharged by other Equity Judges; and, so far as those judicial functions are concerned, when the Lord Justice of Appeal may be a Roman Catholic, and the Master of the Rolls also, I confess I do not see how there can be any danger to the administration of justice, or to the safety of the Protestant religion, from the Lord Chancellor being of the same religion. There are other less important, but still important, duties which the Lord Chancellor has to perform. As a Member of the Government he is to a considerable extent the constitutional and confidential Adviser of the lords-lieutenant; but, so far as matters of a political and administrative character are concerned, and all questions affecting the general policy of Government, I believe the Chief Secretary holds a far more confidential and important position towards the Lord Lieutenant than the Lord Chancellor does. The Chief Secretary is the officer who is responsible to Parliament for every act of the Irish Administration; and I submit to the House that to that extent he holds a far more important position, as one of the confidential and responsible Advisers of the Lord Lieutenant, than the Lord Chancellor. Well, Sir, the Chief Secretary may be a Roman Catholic—he never has been, but there is nothing in the law to prevent it. With regard to an objection which was taken by the hon. Member for North Warwickshire (Mr. Newdegate), that the Lord Chancellor occasionally performs *ex officio* some of the duties of the Viceroy in the absence of the Lord Lieutenant, the hon. Gentleman is under a mistake. It is perfectly true that in the absence of the Lord Lieutenant the Chancellor is generally appointed one of the Lords Justices to perform his duties; but it does not necessarily follow that the Lord Chancellor exercises the functions of the Lord Lieutenant in the absence of the latter, for the Government have the power of appointing any person they choose to perform those functions, and instances have occurred, when a Commission for Lords Justices have been issued, that the Lord Chancellor has not been included among the eminent men who have been nominated for that office. The Church patronage at the disposal of the Lord Chancellor may be said to be absolutely nil; and, as it is well to be precise in the matter, I will read an extract from a speech that was delivered on this subject by the right hon. Member for Oxford (Mr. Cardwell) in 1859, and which has never been controverted. The right hon. Gentleman said—

> "The Chancellor has not any Church patronage, except in respect of the vicarages of St. Andrew and St. Mark, Dublin, as to which he is joined with the Archbishop of Dublin, the Master of the Rolls, and the three Chief Judges, by an Act of the Irish Parliament."—[3 *Hansard*, cliv. 1106.]

Now, it is a remarkable fact that two out of three of those Chief Judges are at present Roman Catholics; if the objection applied at all, it would be as applicable to them as to the Lord Chancellor. As to the other duties which the Lord Chancellor has to perform in connection with the Established Church, it does not appear to me that they are of a very important character, or such as to justify opposition to the proposal of the present Bill. It seems that there is a somewhat *quasi*-ecclesiastical jurisdiction attached to the office, and it is described by the right hon. Gentleman the Member for Oxford in these terms—

> "The Chancellor's ecclesiastical jurisdiction, as representing the Queen, consists in issuing Commissions of Delegates, under the 28 *Geo.* III. c. 32, and advising as to the issue of Commissions of Review of the decisions of such delegates. As to the former, he is merely ministerial, the sole duty being to choose the Commissioners, who must be Protestants. In deciding as to the issue of a Commission of Review the Chancellor acts judicially on a full hearing of the case in open court."—[3 *Hansard*, cliv. 1107.]

I apprehend that if the Bill goes into Committee the hon. and learned Baronet will have to insert a provision that this duty, which I believe has hardly ever been called into exercise, shall be intrusted to other hands than those of the Lord Chancellor in case that office be held by a Roman Catholic. There is another branch of the Lord Chancellor's duties of scarcely less importance than his judicial functions—namely, the control which he exercises over the magistracy. As the House is well aware, the usual course of appointing magistrates is that gentlemen should be recommended to the Lord Chancellor by the lord-lieutenant of the county. The lords-lieutenant are really the persons who appoint magistrates, and I am happy to say that their recommendations are rarely, if ever departed from. The lords-lieutenant are in many instances Roman Catholics, and though, the party opposite having been so long in power, a great number of the lieutenants hold political opinions different from my own, I am bound to say that their nominations have generally been judicious, and that, though in individual cases objections have arisen, the mode in which their recommendations have been made is, on the whole, satisfactory, and in the interest of the public service. With regard, therefore, to that part of his duty which relates to the appointment of magistrates, the fact of the Lord Chancellor being a Roman Catholic cannot prevent him from adequately discharging it. For the reasons, therefore, that I have given, the House would, I think, do well to entertain the proposal with regard to the Lord Chancellor of Ireland, and to consent to the second reading of that portion of the Bill. It is not, I may say, a mere sentimental grievance, for I have been told by Roman Catholic gentlemen practising at the Irish Bar, that they feel it a discouragement and a hardship that the highest office in their profession should be closed against them, and I believe that the removal of this restriction will be hailed with satisfaction by many gentlemen of the legal profession who belong to the Roman Catholic religion. With regard to the clause proposing to remove the restriction against Judges and corporate bodies attending Roman Catholic places of worship in their robes of office, and which, to a certain extent, is a sentimental grievance, I profess myself unable to understand why such a restriction was ever imposed. On looking over the debates on the subject, I cannot discover that any reason has been given for it; and the only reason which suggests itself to my mind is that in localities where religious differences prevailed angry feelings might be excited if Roman Catholic gentlemen attended their places of worship in their official costume. I believe, however, that no such feeling exists now in Ireland, and I cannot think that any offence to sincere Protestants would be given by seeing a Roman Catholic official proceeding to his place of worship in his robes of office, which are merely the insignia of authority. Indeed, I think that positive good might result from the removal of the restriction, for it will show that in the eye of the law and of the Sovereign all her subjects and all her servants are equal, and that the Constitution recognises the principle, that in offices of State, Her Majesty can be served with fidelity as well by Roman Catholics as by Protestants. Moreover, there is this further anomaly, that a Roman Catholic general and his whole staff may attend a Roman Catholic place of worship in full uniform, and wearing all the decorations and insignia which he may have won by meritorious services. Now, I can see no great difference in this respect between the robes of a Judge or of a corporate officer and the uniform of a general, or even of the humbler members of the army or the constabulary. The livery of the Queen is seen in every Roman Catholic chapel in Ireland, every Sunday, and if there is no objection to the humblest member of the public service wearing his uniform, the emblem of his authority, on such occasions, there ought to be none to the highest and most distinguished person wearing the robes and insignia of his office under similar circumstances. I think, therefore, the House would not object to the removal of this restriction. With respect to the clause affecting oaths, I believe that before this Bill can pass the Royal Commission, which is now considering this whole question, will make their Report, and that it will be necessary to deal with the whole of that important subject. Though myself a Member of the Commission, I have not been able since I have been in office to attend many of its meetings; but I have been given to understand that the Report will very soon be issued, and I hope that it will be found to deal so satisfactorily with the entire question, that there will be no likelihood of much opposition to the adoption of its recommendations. I should be inclined, therefore, to support the second reading of the Bill if my hon. and learned Friend will promise to re-consider the question as to the Lord Lieutenant. ["No, no!"] My hon. and learned Friend will do well to consider that suggestion, because I believe he will find that there will be great and serious opposition to the measure if he retains that clause, such as may prevent the passing of the Bill at all, and will, at all events, give rise to protracted debate.

Moreover, though the proposal as regarded the Lord Chancellor has been made once, if not twice, before, that referring to the Lord Lieutenant has not been brought forward on any previous occasion. If therefore the hon. and learned Gentleman will give some expression of feeling as to his opinion on that point I shall unhesitatingly give my vote, as an individual Member of the Government, in favour of the second reading of the Bill.

MR. GLADSTONE: Sir, I cannot but congratulate the noble Lord on the general tenor of the speech he has just delivered. We have certainly made a very great advance since this subject was discussed in the year 1859; and the speech of the noble Lord was, I think, so satisfactory in most of the propositions which it contained, and in particular was so just in the principles which it laid down—and which in my opinion are not one whit less applicable to that which he reserved and refused than to that which he conceded—that I propose to meet the appeal which he made to my hon. and learned Friend with a counter appeal. He asked my hon. and learned Friend (Sir Colman O'Loghlen) for a concession which, I am afraid, my hon. and learned Friend cannot make: he asked him to declare that he his ready to drop from his Bill that provision which relates to the Lord Lieutenant of Ireland. But I must appeal to the noble Lord to consider further the scope and breadth of the principles which he himself has laid down; and if he will only consider them in the candid spirit in which he approached the general question I feel sure that, instead of asking my hon. and learned Friend to withdraw that proposition, he will himself be obliged to support it. Let us consider what those principles are. The noble Lord said—and said with the greatest justice—that the securities, or the so-called securities, inserted in the Act of 1829 ought to be viewed in the light afforded by subsequent experience and according to the exigencies of the present day; differing entirely in that respect from the hon. Gentleman who, in the year 1859 represented, always in the most courteous manner, the opinion which then appeared to prevail—I mean the right hon. Gentleman the present Secretary of State for the Home Department—who declared that in his belief there could be no peace or union in Ireland unless it was clearly and definitely understood that all the securities of the Act of 1829 were to be maintained. We are now entirely agreed with the noble Lord, who appears, I presume, upon this occasion as the organ of the Government, with respect to the principle on which the securities are to be reviewed. Now the most important portion of this measure deals with two functions, and I contend that every material consideration which is applicable to one of them is equally applicable to the other. The fair general description of both of them, it appears, is this—that they are offices whose main and leading purposes are strictly civil, but that there are attached to them certain incidents, more or less important, which are of an ecclesiastical character. Well, if no special provision was made upon that subject it would be a fair objection to the measure of my hon. and learned Friend to say that he was about to intrust to hands that were not fitted for such a task the discharge of functions that are more or less of an ecclesiastical character. But my hon. and learned Friend completely meets that objection by providing that of those ecclesiastical functions those personages, if they be Roman Catholics, shall by law be absolutely divested: and that is the principle on which the law has proceeded in other cases of an analogous description. Why do we allow the Secretary of State for the Home Department to be a Roman Catholic? The Secretary of State for the Home Department excercises ecclesiastical functions, and he exercises them even, according to the established usage of the State, as a matter of business in his Department, and without reference to the Crown. In the ordinary discharge of his duties, and without reference to the Crown, he makes numerous appointments to benefices in the Established Church of Scotland. But in that case it is provided by law that if the Secretary of State for the Home Department shall be a Roman Catholic he shall not exercise that ecclesiastical function; and that is the very same principle which my hon. and learned Friend proposes to apply to the case of the Lord Chancellor of Ireland. The noble Lord, in the case of the Lord Chancellor of Ireland, accepts that provision as satisfactory. Now, what I want particularly to know from the noble Lord is this—why is that provision which is satisfactory in the case of the Secretary of State for the Home Department and satisfactory in the case of the Lord Chancellor of Ireland not satisfactory in the case of the Lord Lieutenant of Ireland? But the noble Lord stated pleas which, as he stated them, I have no doubt he thinks are reasons—although I should otherwise have thought that, with his acuteness of mind and liberal temper, he would have seen what I must, with every respect for him, call their shallowness and narrowness. What are the reasons, according to the noble Lord, why the Lord Lieutenancy of Ireland should be regarded as one of the distinguished offices to which a Roman Catholic could not legitimately aspire? One of those reasons was, that the retention of this clause in the Bill would give rise to much debate and much dissatisfaction. But we sit here for the purpose of sifting those questions, and bringing mere feelings, mere instincts, mere prejudices to the bar of reason; and if it should be shown that there is no sound or satisfactory ground for treating this office as an exception, or for stopping short in the application of a principle now consecrated by the adhesion of all parties with respect to the disposal of civil offices—if it should be shown that there is no ground for our so stopping short—then, I say, that the very confidence which our constituents repose in us requires us to go fearlessly forward, and to do that which is reasonable in itself, trusting to the good sense of the people of England to recognise the wisdom of our conclusions. But the noble Lord gave other reasons, founded, as he thinks, not on the feelings of men, but on their intelligence. Now what are those reasons? They are two-fold. In the first place, he says that the Lord Lieutenant of Ireland has a certain amount of ecclesiastical patronage; and secondly, he observes that the Lord Lieutenant exercises a delegated power from the Crown in a way and in a degree that does not apply to the Viceroys of Canada or of India. But the first of these reasons is, as it seems to me, absolutely disposed of by the clause inserted in the Bill of my hon. and learned Friend, by which it is provided that no ecclesiastical patronage shall be exercised by the Lord Lieutenant in case he should be a Roman Catholic. The noble Lord, however, appears to think that there is something extraordinary in the nature of the powers delegated by the Crown to the Lord Lieutenant of Ireland, and he gives a reason why, in his opinion, there is no parallel between the case of the Lord Lieutenant of Ireland and the Viceroys of India and Canada—that reason being that in the case of Canada there is a constitution, and in the case of India there is no constitution.

Lord NAAS: I said there is in Canada a different constitution from that of Ireland.

Mr. GLADSTONE: I do not see which of these reasons it is that bears upon the case in such a manner as to bias the judgment of the noble Lord. But let us grapple with this question of the power delegated by the Crown to the Lord Lieutenant. The noble Lord spoke as if there were some mysterious relations between the Lord Lieutenant of Ireland and the Crown of this country, apart from the general machinery of our Constitutional Government. Now, if it were true that the Lord Lieutenant had some relation to the Crown outside of that machinery, and not subject to its control, then I could grant that the noble Lord might perhaps be able to establish some connection between the Protestant character of the Sovereign and the Protestant character of the Irish Lord Lieutenant. But is it true that that is the position of the Lord Lieutenant? Let us divest him of that robe of mystery which the noble Lord has cast around him. The Lord Lieutenant is nothing more or less than one of the numerous wheels of Government, subject to the same impulsion and the same control as the other wheels in our Constitutional system. He is not an independent agent acting apart, untrammelled by responsibility to Parliament or by the directions he may receive from the Cabinet. But more than that; who is the man in the Cabinet whose duty it is as the organ of the Government to direct the Lord Lieutenant of Ireland. Why, it is the Secretary of State for the Home Department—it is the very man who holds that very office which is at this moment open to the just ambition of Roman Catholics; and the law as it now stands, while it prohibits a Roman Catholic from attaining to the office of Lord Lieutenant permits a Roman Catholic to hold the office which would make him in a political sense the master of the Lord Lieutenant. Now, if that be the case—and it is impossible to dispute the fact—am I not justified in retorting on the noble Lord the appeal which he addressed to my hon. and learned Friend? He accepts the proposal to separate the ecclesiastical functions from the Lord Chancellorship as a satisfactory solution, and he is bound by his own principle to accept it in the case of the Lord Lieutenancy. He speaks of the power delegated by the Crown to the Lord Lieutenant as a reason why the Lord

Lieutenant should be a Roman Catholic; and I ask him for an answer to my argument when I point out that there is not one of these delegated powers that is not subject to the direction and control of the Executive Government—of the Cabinet at home—exercised through the Secretary of State for the Home Department, the only Minister who is officially entitled to direct the Lord Lieutenant, and who himself may be a Roman Catholic. And surely it cannot be consonant to reason—it must be a mere tribute to prejudice and nothing else—to hold a proposition so paradoxical as that, while we permit a Minister to be a Roman Catholic, we should pretend that some sacred constitutional principle forbids us to allow the same privilege, the same openness of access, to an office which, in a political sense, may strictly be designated a subordinate office, however dignified it may be. These are the grounds of my appeal to the noble Lord; I make it seriously and earnestly, because I think that the general tone of his speech warrants it. I must say, however, that whatever may be the answer of the noble Lord to that appeal, I do not think that my hon. and learned Friend would be justified in withdrawing this provision from the Bill. I am not prepared to stand in the face of the people of Ireland, of whom the vast majority belong to the Roman Catholic religion, and impose on the professors of that religion any disability which I am not able to justify, and which I cannot maintain by strong and cogent reasons. There are, in my opinion, no such reasons in the case we have now before us. The noble Lord, who was so well qualified to show them, if they could be shown, has adduced no such argument. The principles which he laid down are the principles on which this question ought to be handled, and those principles are fatal to the unworthy application of them which he has been led to make in this particular instance.

MR. WHALLEY said, he protested against the religion and Constitution of England being subjected to these annual attacks; for he believed there was something in the Constitution of this country which it was not competent to Parliament to disturb, except under the pressure of some great emergency, such as that which arose in the year 1688, and which ended in the establishment of the House of Hanover on the throne. He would not presume to argue the question with the right hon. Gentleman who had just addressed the House (Mr. Gladstone), who was so great a master of the art of rhetoric, and who displayed an ingenuity and an eloquence such as had never before, perhaps, been used for the purpose of deceiving and misleading Parliament. But he (Mr. Whalley) felt it his duty to protest against those continual concessions to that foreign Power, the Roman hierarchy, and against the transfer of his allegiance by Parliament to any foreign Power. In conjunction with others he had sanctioned an attempt to enlighten the people of England on the effects of granting £1,000,000 per annum for the propagation of Romish doctrines; but they had been met by a counter organization of priests, and their meetings were interrupted and put down by clamour and violence. It had been stated in that House that his mission was to make Protestantism ridiculous. Now, he accepted that mission, and he should more than succeed in all that he aimed at if that should prove to be so. For what could be more ridiculous than that a Protestant assembly should vote £1,000,000 a year to promote Popery, and still further exhibit itself in thus preventing even the discussion of such a question as this. It seemed to him that when the House was asked to make another concession in favour of the Papacy, it was a fitting time to take occasion to meet the challenge thrown out to him to prove the assertion which he made on a former occasion—namely, that Fenianism had been originated, organized, and entirely sustained by the Roman Catholic priesthood. [" Order!" *and* " Question!"]

MR. SPEAKER: After the terms in which Fenianism has been described by this House, "a conspiracy adverse alike to authority, property, and religion, and condemned alike by all who are interested in their maintenance," for an hon. Gentleman to say that the Roman Catholic clergy are the originators of Fenianism is a statement which cannot but be offensive to this House, and cannot be permitted to pass.

MR. WHALLEY said, he bowed to the decision of the Chair, in declaring—no doubt with perfect propriety—that the line of argument he was pursuing was not in order. There was another way which would be equally serviceable to him for the purpose of exhibiting what he desired to make plain. He would ask the House whether they did not consider that this country was rendered ridiculous in the eyes of all other nations which contemplated their proceedings with regard to those matters of Irish disaffection, when the people of those countries read such letters as one that had appeared in what is called "the leading journal" of England. That letter which he had cut out of *The Times* was written by Mr. John Healy, parish priest of Cahirciveen, and this was the statement which that clergyman made in exculpation of his co-religionists from the imputation of being connected with Fenianism ["Order!"]:—"Is it necessary to mention that during the twenty-one years I have had the charge—

Mr. BAXTER: Sir, I rise to order. I wish to put it to you whether such observations as these have any reference whatever to the subject of our deliberations?

Mr. SPEAKER: I cannot restrain the fair limits of discussion. A good deal has been said by the hon. Member which is totally irrelevant to the topic under discussion; but I cannot say that his present observations are irrelevant.

Mr. WHALLEY: As he was saying, this was the statement made by the parish priest of the place he had referred to—

> "Is it necessary to mention that during the twenty-one years I have had the charge of this parish the people never heard from the altar any other doctrines proclaimed but those of peace and obedience to the civil authorities such as have been inculcated by our Church in every age?"

That was so gross an insult to the common sense and to the knowledge of all mankind, and was so different to the actual conduct of the Roman Catholic Church, especially in reference to Irish affairs, that he maintained the time had come for the House and the country at large to rouse themselves as to the relations between themselves and the hierarchy of which he was speaking. He had had some acquaintance with this parish of Cahirciveen. On one occasion he was present and heard a priest deliver a sermon. He had been in Ireland during the famine of 1847, and along with many other gentlemen had exposed his life; and was happy to say (seeing he had so often been accused of being inimical to the rights of Roman Catholics) that he had received a testimonial on the occasion for having done more to mitigate the famine and fever that prevailed than any other Englishman. Returning home from his labours he passed through the village of Cahirciveen, and there entered the Roman Catholic Chapel. He was not aware whether the priest, who was in the place then, was the same as wrote to *The Times* the other day; but apart from that, he heard him declare, in the course of his sermon to the people, that of all the outrages, wrongs, and insults which England had ever perpetrated against Ireland, the grossest she had ever attempted was to bribe Ireland to surrender her undying sense of wrong and to endeavour to make her sell this for the mess of pottage which those who had been labouring for the alleviation of distress during the time of famine had offered. That was the return which they had received on that occasion for their attempts to conciliate Ireland. What, then, was to be thought of the statement of Mr. Healy—that nothing but peace and goodwill had been preached in his parish? Facts like these were important at the present time when they found the noble Lord the Chief Secretary for Ireland saying that he did not require to add a word to the curse which had been pronounced against Fenianism by Bishop Moriarty. ["Order, order!"]

Mr. SPEAKER: The hon. Member is referring to a speech of the present Session, which, according to the rules of the House, is out of order.

Mr. WHALLEY said, he had some more remarks to make upon this topic; but, considering what had been said from the Chair, he would not intrude them. Proceeding to the general subject, he argued that, considering all that had lately transpired in Ireland, there was as strong reason as ever for preserving the safeguards and protections against the encroachments of Romanism, which were considered so necessary at the time of the passing of the Catholic Emancipation Act. To show what need there was that the hierarchy to which he was referring should be watched, he would quote a few sentences from a book entitled *The Letters of Runnymede*, in which were expressed the opinions of the Chancellor of the Exchequer. ["Order!"] In that book the right hon. Gentleman said that Roman Catholicism

> "Was a power before which the proudest conqueror has grown pale, and by which nations the most devoted to freedom have become enslaved. . . . . The Papacy is as rampant now in Ireland as it was in Europe in the time of Gregory, and all its energies are put forth for our humiliation."

[The House, which had for some time evidenced a desire for a division, now became so impatient that the hon. Member's further remarks were only occasionally heard.]

Mr. PIM, who also rose amid loud cries of "Divide!" said, that both as an Irishman and a Protestant, he had listened to the speech of the noble Lord the Secretary for Ireland with much satisfaction, and he had no doubt that it would give satisfaction both to the Catholics and a large portion of the Protestants. He himself was extremely desirous for perfect equality among the people of Ireland. He believed, moreover, that a large portion of the Protestants were willing to get rid of their Protestant ascendancy, and to have the people placed upon one level.

The SOLICITOR GENERAL for IRELAND (Mr. Chatterton) said, he could not give a silent vote upon this occasion, because he entertained a strong feeling that this Bill should not be read a second time. He quite concurred with the hon. and learned Member for Sheffield (Mr. Roebuck) that discussions of this kind were, if possible, to be avoided; and he was the more unwilling to speak upon this question, as he had to go beyond the opinion expressed on the subject by the noble Lord the Secretary for Ireland. He (the Solicitor General) could not, consistently with his own feelings on the subject, avoid protesting against the reading of a Bill a second time which would throw open the offices of Lord Lieutenant and Lord Chancellor. He would, however, be sorry to resist that part of the measure which did away with the prohibition of officials attending places of worship with the insignia, or in the costume of their office. He felt further bound to protest against the second reading of the Bill, because he was convinced it would be highly inexpedient to open up the solemn compact entered into in 1829; and if, on some future occasion, there should be a revulsion of feeling in this country, in an opposite direction to that taken by the House in 1829, those who now wished to re-open the compact would have to thank themselves for what might occur. He should be sorry to see the question re-opened in any way calculated to prejudice the existing rights of the Roman Catholic population. He desired that his Roman Catholic fellow-countrymen should enjoy free and equal rights with the Protestants, and he was ready to admit Roman Catholics to all places under the Crown, except those reserved by the Act of 1829. That Act worked well. At present there were fourteen Judges in the superior courts in Ireland, and eight of those Judges professed the Roman Catholic religion. One of the first fruits of the measure was to place on the bench of Ireland the father of the hon. and learned Gentleman who brought in this Bill—Sir Michael O'Loghlen — a Judge whose impartiality and integrity had not been exceeded by any man who had ever graced the judicial bench—and he rejoiced at the opportunity which that Act afforded of placing such a man on the bench; and he had not a word to say against any gentleman who since that period had been raised to the Irish judicial bench, nor did he doubt in the slightest degree the integrity and loyalty of his Roman Catholic countrymen in Ireland. But there were other grave considerations, which should be weighed before the settlement of 1829 was broken through. The Act of 1829 was framed by men of great wisdom and experience, and they restricted the appointments within the present bounds. And why were these particular cases excepted? Because the office of Lord Lieutenant was one nearly connected with the Sovereign of these Realms, who, by the Act of Settlement, must necessarily be a Protestant. The Lord Lieutenant of Ireland was not merely a delegate of the Home Office, he was the representative of the Sovereign. The Lord Lieutenant possessed a great amount of Church patronage, which the Lord Chancellor did not; and therefore, he admitted, the reasons for insisting that the Lord Lieutenant should be Protestant were greater than those for restricting the office of Lord Chancellor to Protestants. But the holders of that office in England and Ireland were more closely connected with the Crown by the theory of the Constitution than any other Member of the Government, and hence, in their wisdom, the framers of the Bill of 1829 provided that the holder of it must be a Protestant. He hoped that no outcry would induce Parliament to re-open the great compact which had been then entered into. He expressed this opinion with great reluctance and difficulty; but he should not have discharged his duty if he had not recorded his opinion against all the proposed changes, except as regarded the permission to Roman Catholic civil functionaries to attend their own places of worship in their robes of office.

Mr. LAWSON said, that the hon. and learned Gentleman who had just spoken was, like himself, a Protestant member of the bar of Ireland; and he confessed he was struck with astonishment and surprise that a person who pleaded at the same bar with his Roman Catholic brethren should advocate in that House the continuance of their exclusion from the highest honour of the profession. Within the last few days there had been some peculiar revelations of the differences between the Members of the Executive Government, but none exceeded the revelations of that evening in singularity. The Chief Secretary for Ireland had dissented from one provision only of the Bill, and had given the remainder his assent; while the hon. and learned Gentleman, in direct opposition to his Chief, dissented from the whole Bill, except one fragmentary portion which the hon. and learned Gentleman thought might be conceded without infringing on the prejudices which he represents, and that was that a Mayor might appear, on certain public occasions, in the insignia of his office. The Bill of his hon. and learned Friend (Sir Colman O'Loghlen) proposed to throw open to Roman Catholics the offices of Lord Lieutenant, the Chancellorship, and to remove an absurd restriction upon municipal and judicial officers. The hon. and learned Solicitor General would lop off the two first, and leave the Bill a miserable remnant of legislation. But the Solicitor General had really furnished a most powerful argument against himself, for he referred to the revered name of Sir Michael O'Loghlen, and said that he was an ornament to the Bench as Master of the Rolls, yet he could not have been elevated to the Lord Chancellorship—an object of legitimate ambition to those who practised at the bar. His colleagues at the Irish bar almost unanimously repudiated this as an unjust exclusion, and maintained that there was no reason why the highest posts in the kingdom should not be as open to their Roman Catholic brethren as to Protestants. With respect to the Lord Lieutenancy of Ireland, the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) had so completely disposed of the argument of the opponents of the Bill that he need not touch upon it.

MR. VANCE said, the hon. and learned Member (Mr. Lawson) had made allusion to some trifling difference on the Ministerial Bench as to portions of the Bill before the House, but he forgot that such differences of opinion were not peculiar to the present Administration. There was, then, a difference of opinion, not of degree, but of essence. In this case he thought there should be a right of private judgment, without hon. Gentlemen being subjected to the censorious observations of their opponents. The argument of the right hon. Gentleman the Member for South Lancashire, that there was no danger in permitting the office of Lord Lieutenant of Ireland to be filled by a Roman Catholic, would apply equally to the succession to the Crown. The Lord Lieutenant was clothed with regal power; he exercised all the patronage of the kingdom; and was the real head of the Church in Ireland. The hon. and learned Member for Sheffield (Mr. Roebuck) said that toleration was the offspring of intelligence and education. Now, he believed that the Sovereign Pontiff was a highly educated and intelligent person; but with all his intelligence the Pope would not allow the Presbyterians to hold their unostentatious meetings in Rome. He (Mr. Vance) agreed that it was more essential to have the Lord Lieutenant a Protestant than a Lord Chancellor, but he would not give up the point in either case. Whatever might be the result of the division, he was satisfied the House would not permit the Bill to pass into a law. In Committee an Amendment would be proposed to make it indispensable that a Lord Lieutenant should be a Protestant, and he believed such Amendment would be carried.

Question put, "That the word 'now' stand part of the Question."

The House *divided*:—Ayes 195; Noes 93: Majority 102.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Thursday* 14th March.

AYES.

Acland, T. D.
Adam, W. P.
Agar-Ellis, hon. L. G. F
Akroyd, E.
Amberley, Viscount
Andover, Viscount
Antrobus, E.
Ayrton, A. S.
Bagwell, J.
Bailey, Sir J. R.
Barclay, A. C.
Barron, Sir H. W.
Bass, A.
Baxter, W. E.
Bazley, T.
Beaumont, W. B.
Berkeley, hon. H. F.
Biddulph, M.
Blake, J. A.
Bowyer, Sir G.
Brand, hon. H.
Bright, Sir C. T.
Bright, J.
Bruce, Lord C.
Bruce, rt. hon. H. A.
Bryan, G. L.
Buller, Sir A. W.
Buller, Sir E. M.
Butler, C. S.
Candlish, J.
Capper, C.
Cardwell, rt. hon. E.
Cavendish, Lord E.
Cavendish, Lord F. C.
Cheetham, J.
Childers, H. C. E.
Clay, J.
Clement, W. J.

Clive, G.
Cogan, rt. hon. W. H. F.
Colthurst, Sir G. C.
Courtenay, Lord
Cowen, J.
Cox, W. T.
Craufurd, E. H. J.
Crawford, R. W.
Crosland, Colonel T. P.
Crossley, Sir F.
Davey, R.
Denman, hon. G.
Dent, J. D.
Devereux, R. J.
Dilke, Sir W.
Dillwyn, L. L.
Dowdeswell, W. E.
Duff, M. E. G.
Earle, R. A.
Enfield, Viscount
Esmonde, J.
Evans, T. W.
Eykyn, R.
Fawcett, H.
Fildes, J.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Fortescue, rt. hn. C. P.
Foster, W. O.
Gaselee, Serjeant S.
Gaskell, J. M.
Gavin, Major
Gilpin, C.
Gladstone, rt. hn. W. E.
Gladstone, W. H.
Glyn, G. G.
Goldsmid, Sir F. H.
Goschen, rt. hon. G. J.
Gower, hon. F. L.
Gregory, W. H.
Greville-Nugent, Col.
Grey, rt. hon. Sir G.
Gridley, Captain H. G.
Grosvenor, Lord R.
Grosvenor, Capt. R. W.
Grove, T. F.
Guinness, B. L.
Hadfield, G.
Hanbury, R. C.
Hankey, T.
Hardcastle, J. A.
Harris, J. D.
Hay, Lord J.
Hay, Lord W. M.
Hayter, Captain A. D.
Headlam, rt. hon. T. E.
Henderson, J.
Henley, Lord
Hesketh, Sir T. G.
Hibbert, J. T.
Hodgson, K. D.
Holden, I.
Holland, E.
Howard, hon. C. W. G.
Hunt, G. W.
Ingham, R.
Kavanagh, A.
Kennedy, T.
King, J. G.
Kinglake, A. W.
Knatchbull-Hugessen, E
Lawson, rt. hon. J. A.
Layard, A. H.
Leeman, G.
Lefevre, G. J. S.
Lewis, H.
Liddell, hon. H. G.
Locke, J.
Lowe, rt. hon. R.
Lusk, A.
Mackinnon, Capt. L. B.
M'Lagan, P.
Mainwaring, T.
Martin, C. W.
Merry, J.
Milbank, F. A.
Mitchell, A.
Moffatt, G.
Monk, C. J.
Monsell, rt. hon. W.
More, R. J.
Morris, rt. hon. M.
Morris, W.
Morrison, W.
Murphy, N. D.
Naas, Lord
Neate, C.
Nicol, J. D.
O'Beirne, J. L.
O'Brien, Sir P.
O'Donoghue, The
O'Reilly, M. W.
Osborne, R. B.
Otway, A. J.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Peto, Sir S. M.
Philips, R. N.
Pim, J.
Pollard-Urquhart, W.
Portman, hon. W. H. B.
Potter, E.
Potter, T. B.
Power, Sir J.
Pritchard, J.
Read, C. S.
Roebuck, J. A.
Russell, A.
Russell, H.
Russell, F. W.
St. Aubyn, J.
Salomons, Mr. Ald.
Samuelson, B.
Scholefield, W.
Seely, C.
Shafto, R. D.
Sheridan, H. B.
Sherriff, A. C.
Smith, J.
Smith, J. B.
Speirs, A. A.
Stacpoole, W.
Stanley, hon. W. O.
Stansfeld, J.
Steel, J.
Stone, W. H.
Stuart, Col. Crichton-
Sturt, Lt.-Colonel, N.
Synan, E. J.
Tottenham, Lt.-Col. C. G.
Tracy, hon. C. R. D.
Hanbury-
Trevelyan, G. O.
Vandeleur, Colonel
Vanderbyl, P.
Vivian, H. H.
Vivian, Capt. hn. J. C. W.
Western, Sir T. B.
White, hon. Capt. C.
White, J.
Whitworth, B.
Williamson, Sir H.
Winnington, Sir T. E.
Wynne, W. R. M.
Wyvill, M.
Young, R.

TELLERS.

O'Loghlen, Sir C.
Gray, Sir J.

NOES.

Adderley, rt. hon. C. B.
Agnew, Sir A.
Annersley, hon. Col. H.
Archdall, Captain M.
Arkwright, R.
Bagge, W.
Baillie, rt. hon. H. J.
Barnett, H.
Barrow, W. H.
Bateson, Sir T.
Beach, Sir M. H.
Beach, W. W. B.
Bowen, J. B.
Bruce, Major C.
Bruce, Sir H. H.
Cartwright, Colonel
Chatterton, H. E.
Cochrane, A. D. R. W. B.
Cole, hon. H.
Conolly, T.
Cooper, E. H.
Corrance, F. S.
Du Pre, C. G.
Dutton, hon. R. H.
Dyke, W. H.
Dyott, Colonel R.
Edwards, Sir H.
Egerton, Sir P. G.
Egerton, E. C.
Eliot, Lord
Fane, Colonel J. W.
Feilden, J.
Fellowes, E.
Forde, Colonel
Forester, rt. hon. Gen.
Gallwey, Sir W. P.
Garth, R.
Getty, S. G.
Goldney, G.
Goodson, J.
Gore, J. R. O.
Grey, hon. T. de
Griffith, C. D.
Gwyn, H.
Hamilton, I. T.
Hardy, J.
Henniker-Mjr., hn. J. M.
Heygate, Sir F. W.
Hildyard, T. B. T.
Hotham, Lord
Jolliffe, hon. H. H.
Kendall, N.
Ker, D. S.
King, J. K.
Kinnaird, hon. A. F.
Knox, hon. Major S.
Lamont, J.
Langton, W. G.
Lanyon, C.
Lefroy, A.
Lindsay, Colonel R. L.
Lloyd, Sir T. D.
Long, R. P.
Lowther, J.
Mordaunt, Sir C.
Morgan, O.
Morgan, hon. Major
Neeld, Sir J.
North, Colonel
O'Neill, E.
Parker, Major W.
Repton, G. W. J.
Robertson, P. F.
Selwyn, C. J.
Severne, J. E.
Stanhope, J. B.
Stronge, Sir J. M.
Stuart, Lt.-Colonel W.
Surtees, H. E.
Taylor, Colonel
Tollemache, J.
Tomline, G.
Treeby, J. W.
Trevor, Lord A. E. Hill-
Vance, J.
Verner, Sir W.
Waldegrave-Leslie, hon. G.
Walker, Major G. G.
Waterhouse, S.
Whalley, G. H.
Wise, H. C.
Woodd, B. T.
Wynn, C. W. W.

TELLERS.

Newdegate, C. N.
Schreiber, C.

DUBLIN UNIVERSITY PROFESSORSHIPS BILL.—[Bill 10.]

(*Mr. Lawson, Mr. Sullivan.*)

SECOND READING.

Order for Second Reading read.

Mr. LAWSON, in moving the second reading of this Bill, said, its object was to remove another of those disabilities of which the Roman Catholics in Ireland had so much reason to complain. The Bill proposed to throw open the three Professorships of Anatomy and Surgery, Chymistry, and Botany in Trinity College to all persons, without reference to their religious creed. Those Professorships were, he said, founded in 1785, and Roman Catholics were precluded from holding any one of them — a restriction which had been continued up to the present day, when he supposed the most bigoted opponent of that faith would not contend that the religious element ought to enter into any man's mind in the selection of a teacher of those abstract sciences. A Commission, he might add, which sat in 1833, and of which the late Archbishop Whately was a member, recommended the removal of the statutory disability in question; but, although many able men had since then sat in that House as Members for the University, not one of them had proposed to legislate in accordance with that recommendation. The Solicitor General for Ireland, it appeared, had elsewhere found great fault with him for bringing the subject before the House, and seemed to think that the case was one in which no Parliamentary intervention was required; but he would scarcely, he thought, in his place in that assembly, venture to contend that these restrictions ought to be any longer maintained. He had simply to state, further, that he had been in communication with the Queen's Colleges, and the College of Physicians in Ireland, and that they offered no opposition to the Bill, but had made suggestions for its further improvement, which might be introduced in Committee with great advantage.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Lawson.*)

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON) regretted that the right hon. Gentleman had not taken the trouble to inform himself accurately as to what had fallen from him on the occasion to which he alluded. What he really did say was that the University of Dublin, which he had the honour to represent, had been charged with being a sectarian institution, but that it was in reality no such thing. He had then adverted to the Bill of which the right hon. Gentleman had just given notice, and referred to the Report of the Commission of 1853—the right hon. Gentleman was in error in giving the date as 1833—to show that that Report had been transmitted by Lord Palmerston, who was at the time Home Secretary, to the governing body of Trinity College, and that they, on the 28th of June, 1853, had, through the Registrar, who was the organ of the Board, addressed a letter to the Primate of Ireland for the purpose of transmission to the Home Office, in which they stated that, with one or two exceptions, not connected with the present proposal, they gave their unqualified assent to those recommendations which the right hon. Gentleman now made it a merit that he asked the House to adopt. The right hon. Gentleman, too, taunted the Members who had sat for the University for some years past with not having dealt with the subject; but why, he should like to know, was it that he himself had omitted to do so during the time he occupied a seat on the Treasury Bench? As for the Bill itself, believing that it involved no question of principle or compact, he was prepared to give it his support, for he quite concurred with the hon. and learned Gentleman that distinctions between different classes and creeds, when no such question was at issue, ought, if possible, to be dispensed with. He should be happy, in every case in which considerations of religious principle were not involved, to see Roman Catholics placed in exactly the same position with those who held his own creed.

MR. CHICHESTER FORTESCUE said, that this was a great day for concessions, and would ever be a memorable ecclesiastical Wednesday in the history of Ireland. He was delighted to find that the hon. and learned Gentleman who had just spoken had assented to the second reading of the Bill, although he was unable to screw his courage up to vote in favour of the last measure which was under the consideration of the House. Owing to the operation of custom, or rather of inveterate prejudice, there was scarcely such a thing as a professional post of honour or emolument which a Roman Catholic gentleman who devoted himself to scientific pursuits could hope to fill in Ireland; and it was therefore with the greatest pleasure he heard that the Board of Trinity College were willing to have those Professorships thrown open.

MR. LEFROY said, that the Board of Trinity College gave their entire concurrence to the proposal for opening their Professorships. One of the chief recommendations in the Report of the Commission was the removal of all religious disqualifications as to Professorships. He believed that the Bill might be amended in Committee, and that it would prove an effective and useful measure.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

EXECUTION OF DEEDS BILL—[BILL 26.]

(*Mr. Goldney, Mr. Leeman, Mr. Powell.*)

SECOND READING.

Order for Second Reading read.

MR. GOLDNEY, in moving the second reading of this Bill, said, that its purpose was to enable married women to part with their right of property in land without the expense and inconvenience entailed upon them by the present law. Previous to 1834, when the recommendations of the Real Property Commisssioners were carried into effect by the passing of the Fines and Recoveries Act, the mode of barring an entail and the mode by which a married woman could dispose of her interest in property were by aid of certain legal fictions, the great inconvenience of which was the expense by which it was attended. Since 1834, however, under the operation of an Act passed in that year for the abolition of fines and recoveries, an entail might be barred by deed, and a married woman might dispose of her real property by deed, to be acknowledged by her as her free and voluntary act before two Commissioners, and such Commissioners were to return to the Court of Common Pleas a certificate of such acknowledgment, which was to be filed. In another Act, the 17 & 18 *Vict.*, further provisions were made with regard to the acknowledgment of deeds by married women ; and there was also a subsequent Act, which enabled them to dispose by deed of certain reversionary interests in personal estate ; but the requirements of these Acts contributed to render what was a very simple matter a very cumbrous proceeding in practice. The result was, that owing to the number of acknowledgments which were rendered necessary, it had actually, since 1834, cost married women no less a sum than £1,500,000 for what he could not help designating a very unnecessary piece of machinery. In the Bill before the House he sought, as far as possible, to do away with a great portion of the expense of these acknowledgments. He proposed that instead of there being two Commissioners for receiving the acknowledgments of married women in each case there should be only one, who should be disinterested and altogether unconnected with the property. He also proposed that the acknowledgment of married women should not necessarily be accompanied by separate certificates and affidavits, but should be simply indorsed on the deed of conveyance itself. Another inconvenience he proposed to remedy. A large emigration took place from this country to India, New Zealand, and other places, and numbers of persons who possessed property in this country found it desirable to remain in the colonies. At present, when they wished to dispose of such property they sent home instructions with a power of attorney ; but instead of the agent being able to transmit the proceeds of the sale, it was necessary to prove that the person granting the power of attorney was alive at the time the deed was executed in this country. In that way a further delay of eight or ten months took place. He proposed, therefore, that there should be no longer a necessity for a further certificate as to the person being alive at the time of the execution of the deed in this country. The Incorporated Law Society had expressed their entire approval of the principle of the Bill.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Goldney.*)

THE ATTORNEY GENERAL would not oppose the Bill, but he thought it would be necessary to consider it carefully in Committee. The Bill proposed that the examination should be taken by Commissioners appointed to administer oaths, and he feared it would then grow into a mere formality ; whereas now the Commissioners really did examine married women and made them acquainted with the interest they were parting with—so that by the new arrangement the merit of the system would be lost. If it was considered that the fees were at present too high the proper plan would be to reduce them.

Motion *agreed to.*

Bill read a second time, and *committed* for *To-morrow.*

SALE AND PURCHASE OF SHARES BILL.

(*Mr. Leeman, Mr. Waldegrave-Leslie, Mr. Goldney.*)

[BILL 38.] SECOND READING.

Order for Second Reading read.

MR. LEEMAN, in moving the second reading of this Bill, said, that he would in the first place remind the House that last year he brought in a similar Bill, which, however, applied to all joint-stock companies; but that upon the suggestion of the hon. Member for Grimsby (Mr. Fildes) he consented to limit its operations to banking companies, and the Bill now before the House was limited in the same way. The broad ground upon which he asked the House to legislate in the matter was that bank shares, being themselves the creation of Parliament, having attached to them by Parliament various onerous conditions, and having no existence other than that which Parliament had given them, the House would, if it found that circumstances had occurred which rendered it necessary to protect the shareholders in these companies, afford them that protection with the same readiness as it imposed the conditions. The Acts under which joint-stock banks now existed dated back to 1826. By the Act of that year the proprietors were subjected to liabilities extending over three years after they had ceased to be members of the company. In 1844, it appeared to Sir Robert Peel to be desirable for the public interests that further restrictions should be imposed, and it was accordingly determined that there should be a registration and publication of the names of all proprietors of joint-stock banks. Since that time many new joint-stock banks had been established, and there were now 120 such banks in England, and twenty-five in Scotland and Ireland. The shareholders in these concerns constituted a very large portion of the middle classes of the country. In 1866 there were no less than 51,000 persons in England and Wales registered as the holders of shares in joint-stock banks, and this number included persons in every grade of life. These persons had, for the most part, become shareholders not as mere speculators, but with a view to a safe and permanent investment, and they were the persons contemplated by Sir Robert Peel as affording to the public a substantial guarantee for the debts of the companies. The Stock Exchange of London was a self-constituted confederation of brokers and parties who took upon themselves the conduct of the transfer of shares in various companies, and they put out the daily list which formed the barometer which marked the fluctuation in the value of shares from day to day. The Stock Exchange was composed of many highly honourable men, who had conducted the business with honour and credit; but there were persons upon the Stock Exchange who, during last year, permitted themselves to be parties to transactions which brought ruin upon hundreds of innocent persons who held shares in various banks. It was a matter of notoriety that millions of stock were made the subject of pretended sale from A to B, which actually did not result in half-a-dozen registered transfers; and these transactions were carried on by persons not possessing a single share in the company the shares of which they professed to sell. It was found that on one single day there was no less than sixty-four different joint-stock companies, in which persons who had contracted to purchase shares gave notice to "buy in" against the person who had professed to sell. A having entered into a contract with B to sell what he did not possess, sufficiently alarmed those who did hold shares to induce them to part with them; and this was nothing less, in his opinion, than a swindling transaction. He did not doubt that the House would endeavour by some mode to put an end to such a state of things. The first thing done by these freebooters — as they had been correctly termed by the public press—was, immediately after having entered into a contract of this kind, to take means to depreciate the stock of which they professed to make a sale. With regard to two or three banks the shares went down; but no particular injury was done to the general public. This course of proceeding was carried forward against some of the most stable companies in the country. One mode of operation was to send anonymous letters to the depositors to induce them to withdraw their deposits, and they also sent anonymous letters to shareholders in different parts of the country advising them to draw out or sell. In the case of one of the soundest banks in the metropolis a large number of letters of this class were sent to shareholders in the country, all of which were in the same handwriting, and all to the same effect—namely, "Sell bank shares at once. From a Friend, June, 1866." These were sent to almost every county where the bank had shareholders; and the same system had been carried on with regard to other banks. The effect of these letters was to induce many timid persons to part with their shares at prices far short of their true value, and to bring an irreparable loss upon a great number of shareholders. The whole press of England denounced the system, and the Committee of the Stock Exchange was called upon to take some course which would put an end to such proceedings. A large number of members of the Stock Exchange united in requesting the Committee to adopt some means for the prevention of the evil; and the Committee, which consisted of thirty members, met for the purpose, but came to a resolution, by fifteen to twelve, that it was not expedient to make any alteration in the mode of dealing with joint-stock shares. A number of gentlemen, well known in the City, were so dissatisfied with this result that they presented another memorial, and again the matter was discussed, and the former decision was confirmed, with the slight alteration that instead of ten days for giving the name, the time should in future be seven. A man professing to sell shares on the Exchange by sale note had till the next settling day, a period of fourteen days, before any other step could be taken, and he was entitled to ask for another ten days before handing over the name of the purchaser; so that he had twenty-four days for his operations, and in the interval he sent forth letters of the character already described. The alteration made by the Stock Exchange would be no alleviation whatever of the evil. The Committee of the Stock Exchange were asked to make a by-law by which it should be incumbent upon the seller when he signed the sale note to give the broker the numbers of the shares which he contracted to sell; and in his opinion nothing could be more reasonable than such a condition. There would be no difficulty whatever in complying with it. At Liverpool the brokers, departing from the course pursued by the London Stock Exchange, had refused to sell any shares of a joint-stock bank unless the seller gave them the numbers. In France a purchaser could call upon the seller for the stock immediately. [A MEMBER: So he can here.] If anyone had called upon these pretended sellers for the stock, there would have been instantly an end to the transaction. The Stock Exchange had assumed to itself the power of making by-laws and regulations which as customs had the force of law; but they had refused to interfere in this case, and it was only by the interposition of Parliament on the part of *bonâ fide* proprietors of banks that it was possible to put an end to the abuse to which he referred. For this reason he proposed that all contracts for the sale or transfer of shares in joint-stock banks should be void unless such contract should be in writing, and should set forth and designate the stock or shares by the numbers by which they were distinguished in the books of the company. The panic of which these persons took advantage had passed away; but another might come, and the present, therefore, was a favourable moment for careful legislation on the subject. He was surprised that his measure was to be opposed, and particularly that its rejection was to be moved by the Gentleman who last year proposed to limit it as it was now limited—namely, to joint-stock banking companies. He did not think anyone would venture in that place to contend that there was no difference between a bank share and any other article with regard to which time-bargains were customary, and he was sure that if shareholders in banks were to continue under the obligations which Parliament had imposed upon them, the House would not refuse them the protection which they required.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Leeman.*)

MR. FILDES moved that the Bill be read a second time that day six months. His assent to the second reading of the Bill of last Session ought not to preclude him from opposing it now, and further experience and thought upon the subject had brought him to the conclusion that this Bill would be rather adverse to the interests of shareholders than in their favour. The fact that all the letters to which the hon. Gentleman (Mr. Leeman) had referred were in one handwriting, proved that the evil complained of was not the result of a wide-spread conspiracy; and he believed that if this Bill passed it would render the shares of joint-stock banks less current in the market, and diminish their value as a marketable commodity. It was, in fact, a re-enactment of Sir John Barnard's Act, which, while it remained on the statute book, was wholly inoperative, while it afforded a convenient shelter for rogues to avoid their contracts under, and it was accordingly repealed in 1860 by an Act brought in by the right hon. Member for South Lancashire. Sir John Barnard's Act simply rendered all transaction in the nature of time bargains void, whereas the present Bill made any persons entering into such transactions guilty of misdemeanour, and punishable accordingly. If it were to be laid down that selling that which the vendor did not possess was a misdemeanour, of what nature were the advertisements inserted in the daily papers by the Admiralty, asking persons to send in tenders for the supply of beef, &c., for the use of the army or navy? It could scarcely be supposed by the authorities at the Admiralty that the persons who sent in such tenders were in actual possession of the goods they undertook to sell, and yet it would be most unfair to stigmatize them as swindlers. He would recommend the House to consider most carefully before they legislated upon a subject like this. The freer the market was, the better it would be for both vendors and purchasers; and in the interests of the public, and on the ground that every prohibitory principle in the making of contracts was bad in itself, he would ask the House to read the Bill a second time this day six months.

Mr. Alderman LUSK, in seconding the Amendment, opposed the measure on the broad ground that the less legislative interference there was with trade, the better it would be for the interests of the public. Did hon. Members think that the public would have been benefited by the bolstering up of the unsound institutions that fell to the ground last year? Most of the establishments that stopped during the panic had lost all their paid-up capital, and were trading upon credit, and when that credit failed, they fell to the ground as a matter of course, and any legislative interference that might have propped them up for a short time longer, would have inflicted additional injury upon the country. He saw no reason why he should not purchase a cargo of wheat which had not yet arrived, nor why he should not be at liberty to sell that cargo before it had actually come into his possession, or why he should not sell even that which he had not yet bought, if he liked to take the risk of the market. The best precautions against the conspiracies which the Bill was intended to meet, were for people not to put their money into establishments of which they knew nothing, and for bankers to keep their capital within reach by investing it in convertible securities. By good management bankers could defy all the "bears" of the Stock Exchange.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Fildes.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. GOLDNEY thought that the Legislature having interfered with trade to the extent of rendering shareholders in unlimited joint-stock companies liable for three years after they had disposed of their shares, and also compelled that there should be a registration of shareholders, it should now further interfere to protect the property of those shareholders from being unwarrantably depreciated by unprincipled speculators. Under the present law the stockbrokers might deal with the shares of any company to any extent, without rendering themselves liable to any of the company's debts, and without relieving the shareholders of any liability to the public. Sir John Barnard's Act applied to the public stocks, and not to shares.

Sir FRANCIS GOLDSMID said, that Sir John Barnard's Act prohibited time bargains as pernicious things; but it was found impossible to put its provisions in force, and time bargains continued to be made as freely as though the Legislature had never prohibited them. This should teach the House that legislation of this description must be inefficacious, and if the present Bill were agreed to the result would be the same. If shareholders were so silly as to be frightened by anonymous letters into disposing of their shares at low prices, they must take the consequences. The real and only proper protection for the public must be found in investing their money in concerns that were known to be honestly conducted, as in the absence of this unreasonable panics must always occur.

Mr. PIM thought that the operation of the Bill should be extended to Ireland.

Mr. Alderman SALOMONS thought that the hon. Member for Chippenham (Mr. Goldney) was mistaken when he said that shareholders in unlimited companies were liable for three years after they had got rid of their shares. He believed their liability ceased at the end of the first year. Perhaps the Solicitor General would give the House some information upon this point.

The SOLICITOR GENERAL was not able to answer the hon. Member's question off-hand; but believed that the liability of the shareholders in unlimited companies ceased one year after they got rid of their shares.

MR. NEATE moved the adjournment of the debate until Tuesday next. The hon. Member who had introduced the Bill had been somewhat taken by surprise by the objections that had been raised to the Bill, and that it was desirable that a question of such importance should be further discussed before the House pronounced an opinion upon it.

MR. WALPOLE also thought that a postponement was desirable.

Debate *adjourned* till *Tuesday* next.

House adjourned at ten minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, February 28, 1867.

HYPOTHEC AMENDMENT (SCOTLAND) BILL.

(*The Lord Chancellor.*)

(No. 12.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR said, it had been communicated to him that several noble Lords connected with Scotland desired that the second reading of the Bill, which stood appointed for that evening, should be postponed until after the 30th April. Consequently, he was disposed to acquiesce, considering that it was the general wish of the noble Lords that this course should be adopted. But he was now told that this was not the case, and that the general desire was against postponement. If that were so, he should go on with the Bill to-morrow, when he should be better prepared than at present to move the second reading.

THE EARL OF DALHOUSIE said, he was not one of those who desired that the Bill should be postponed, but of those who look upon the measure as a very useful one, and one that would conduce considerably to allay the agitation that existed upon the subject in Scotland. He trusted, therefore, that instead of postponing the second reading, the noble and learned Lord would proceed with the Bill in due course.

THE EARL OF SELKIRK said, he was extremely anxious that this Bill, the principle of which he did not hesitate to say he was strongly opposed to, should be put off until after the 30th April. He did not desire postponement because he thought there was anything in the measure that could not, if necessary, be now discussed, and he should be prepared to go into the merits of the Bill to-morrow, but in order that the landed proprietors and tenants in Scotland might be able to consider and express their opinion on the measure. It was not on account of any effects which the measure might have on the interests of the landlord that he opposed this Bill—it would not affect their interests in the smallest degree. It was because its provisions would compel the landlords to use such an amount of stringency as to the time of collecting their rents, as would be most embarrassing to the small farmers. The large farmers were much more in the habit of expressing their opinions than the small farmers, and had better opportunities of doing so; and as it was supposed that the Bill was framed in the interests of the large farmers, rather than in those of the small ones — which he certainly believed—he thought the latter ought to have ample time to know what the measure was, and to make their views known upon it. The Bill would greatly affect the cattle breeders and feeders of the West of Scotland, and on their behalf he asked for the postponement of the second reading until the month of May; but if the noble and learned Lord on the Woolsack thought it right to go on with the Bill to-morrow, he should be quite prepared to state his objections to the measure.

THE LORD CHANCELLOR said, that from what was said to him by several of his noble Friends, he thought there was a general desire to postpone the second reading; and therefore he did not come down that evening prepared to move the Bill forward that stage; but, as he found that this was not the general wish, he would move the second reading to-morrow.

Second Reading *put off* till *To-morrow.*

House adjourned at a quarter past Five o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, February 28, 1867.

MINUTES.]—Public Bills—*Ordered*— Charity Funds and Estates.*

First Reading— Charity Funds and Estates* [60].

Second Reading—British North America [52]; Counsel to the Secretary of State for India [51].

Committee—Duty on Dogs [36]; Dublin University Professorships* [10].

Report—Duty on Dogs [36]; Dublin University Professorships* [10-59].

Considered as amended—Trades Unions* [18-58].

Third Reading—Marriages (Odessa)* [40], and *passed.*

DOGS.—QUESTION.

Sir ANDREW AGNEW said, he would beg to ask the Secretary of State for the Home Department, Whether, concurrently with the Bill now before the House regulating the "Duty on Dogs," he will prepare another Bill authorizing the County Police to enforce that Duty; and also empowering them to seize and destroy all Dogs for which no licence shall be taken out?

Mr. WALPOLE: No such Bill as that to which the hon. Member refers is now in preparation.

PARIS UNIVERSAL EXHIBITION, 1867. ENGLISH JURORS.—QUESTION.

Viscount AMBERLEY said, he wished to ask the Vice President of the Council, Whether it is true that a sum of £52 10*s.* is to be allowed to each English Juror on account of travelling expenses to and from the Exhibition at Paris; and, if so, whether this sum includes the whole amount to be given to each Juror, or whether he will receive any further payment?

Mr. CORRY: Sir, the English jurors attending the Paris Exhibition will be entitled to receive fifty guineas each, as payment in full for their travelling expenses and all other expenses whatever. It is supposed that each juror will be required to remain in Paris for at least six weeks, and a great number of them for a longer period. No remuneration will be given to them for their services, which will be rendered gratuitously.

NAVY—LIEUTENANT BRAND.

QUESTION.

Mr. OSBORNE said, he rose to ask the First Lord of the Admiralty, If he will lay upon the table of the House any subsequent Correspondence between the Admiralty and Lieutenant Brand, since that officer was placed on half-pay?

Lord HENRY LENNOX said, his right hon. Friend (Sir John Pakington) was unfortunately absent from the House at the present time, being detained at a public meeting in the City, and therefore he should have to ask the hon. Member to postpone his Question.

Mr. OSBORNE said, he would now beg to be permitted to ask the hon. Member for East Surrey, whether he has not received a letter from Lieutenant Brand which was in every way satisfactory to his feelings.

Mr. BUXTON: Sir, in answer to the appeal of the hon. Member for Nottingham, I am happy to say that I have received from Lieutenant Brand a most ample and excellent letter of apology, and I shall be very happy to consent to its publication, if there is no objection.

INDIA—CONTRACT LAW.—QUESTION.

Mr. KINNAIRD said, he would beg to ask the Secretary of State for India, What is the present state of the question about a Contract Law for India, whether any legal opinion in England has been taken as to the principle of enforcing Indigo and other Agricultural Contracts by penal enactments; and, if so, whether he has any objection to lay that Opinion upon the table of the House?

Viscount CRANBOURNE: A Bill, Sir, has been sent home from Calcutta, making a renewed attempt to settle this difficult question. It was submitted to the Indian Law Commissioners, and I am sorry to say they reported that, in their opinion, the principle it represented was not a sound one, that it was liable to abuse, and that it was not advisable it should be adopted. If the hon. Gentleman will move for the papers no objection will be made to the Motion. No despatch has yet been sent to the Government of India on the subject, because we have not yet surrendered all hope that we shall be enabled to discover some means of giving to the planters the redress which they undoubtedly require, keeping also in view a due regard to the protection of the ryots.

ARMY—LAND TRANSPORT.

QUESTION.

Captain VIVIAN said, he would beg to ask the Secretary of State for War, Whether the Report of the Committee on Land Transport for the Army, over which Lord Strathnairn presided, will be laid upon the table of the House; and, if so, when?

GENERAL PEEL: Sir, the Report of the Committee on Land Transport for the Army was one of a confidential character; and therefore, though I am always ready to give information to the House, I shall not feel justified in consenting to the publication of this Report.

SCOTLAND—GAME LAWS.—QUESTION.

MR. FORDYCE said, he would beg to ask the Secretary of State for the Home Department, If it is the intention of Government to propose any amendment of the Game Laws in Scotland during this Session?

MR. WALPOLE: Sir, the hon. Member for Linlithgowshire (Mr. M'Lagan) has given notice of a Bill on this subject for Tuesday next, and until I have seen that Bill I shall not be prepared to state whether further legislation will be necessary.

THE "TORNADO."—QUESTION.

MR. HANBURY-TRACY said, he would beg to ask the Secretary of State for Foreign Affairs, If he can give the House any further information as to the present condition of the officers and crew of the *Tornado?*

LORD STANLEY: Sir, forty-five of the crew of the *Tornado*, as I stated a few days ago, have been released by the Spanish Government. Immediate steps were taken by the Consul at Cadiz to provide accommodation for these men, and, if it should be necessary, they will be brought home at the public expense, as is usually done in the case of distressed British seamen. With regard to the eight others, they are still detained. I telegraphed to know upon what ground a distinction was made between them and the rest of the crew, and I received a telegraphic reply to the effect that they were detained in case they should be required as witnesses in the event of further proceedings. That reply is not altogether clear; but probably I shall receive more detailed information in a despatch, and until then it will not be expedient to take any further steps in the matter.

REPORTS OF THE BRIBERY COMMISSIONERS.—QUESTION.

CAPTAIN GRIDLEY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is proposed to give the House an opportunity of considering the Reports of the Royal Commissioners respecting the Boroughs of Lancaster, Great Yarmouth, Reigate, and Totnes, before any measure for the disfranchisement of those Boroughs is laid upon the table?

THE CHANCELLOR OF THE EXCHEQUER: Sir, the evidence taken before the Royal Commissioners, and their Reports upon it, are now in the hands of hon. Members. They have been also under the consideration of the Government, who have arrived at the conclusion which I have already announced. On the Reform Bill, which I hope in a few days to introduce, there will be ample opportunity for hon. Gentlemen to challenge the conclusion at which we have arrived; and I do not contemplate on any other occasion to ask the opinion of the House.

THE BRIBERY COMMISSIONS.
QUESTION.

CAPTAIN OTWAY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is proposed to lay upon the table the Return of the expenses occasioned by the Commissions sent to Lancaster, Totnes, and other towns, and whether the Government contemplates any measure to throw expenses of that character on the inhabitants of the towns which are the cause of the Commissions being issued?

THE CHANCELLOR OF THE EXCHEQUER: I must ask the hon. Gentleman to give notice of this Question.

IRELAND—VARTRY WATERWORKS EMBANKMENT.—QUESTION.

MR. FITZWILLIAM DICK said, he wished to ask the Chief Secretary for Ireland, If there be any truth in the report of the continuance in the leakage of the Vartry Waterworks Embankment; and, in any case, whether it be the intention of the Government to appoint engineers to investigate and report upon the condition of the same?

LORD NAAS said, in reply, that he had received no information with regard to the state of the Vartry Waterworks within the last four or five days. No request had been made to Government from any quarter to appoint engineers to investigate and report upon the condition of the same. The

Government was perfectly satisfied with the Report that had been made by the very eminent engineers who had examined the works, and they had no reason to believe that any danger to the population living below the reservoir at present existed.

EDUCATION.—PAPERS PRESENTED.

Copy *presented,*—of Minute by the Lords of Her Majesty's Most Honourable Privy Council [by Command]; to lie upon the Table.

MR. CORRY said, that the Minute which he had just presented to the House contained provisions of more than ordinary importance, and would ultimately lead to a considerable increase in the Educational Vote; and he therefore thought it would be more respectful and satisfactory to the House if he departed from what he believed to be the usual practice on such occasions, and made some remarks explanatory of its nature, its objects, and the reasons which had induced the Government to submit it to the approval of Parliament. But before proceeding to do this, he was anxious that the House should understand that the Minute contained nothing at variance with the principles of the Revised Code. On the contrary, its object was, in the strictest conformity with the spirit of the Code, to render it more effectual for the purposes for which it was designed; and it could be no reproach, either to the Code or its authors, if, after the lapse of some years, experience should have suggested some amendments in a measure at once so original in its conception and so comprehensive in its design. He desired it should be further understood that the Minute which he had laid upon the table did not cancel a single article of the Revised Code. It was entirely supplementary to it, and all schools either declining or failing to fulfil its conditions would continue to be entitled to payment under the existing rules. When it became his duty to direct his special attention to the operation of the present system of popular education, as administered by the Privy Council, it appeared to him to be defective in three material respects. In the first place, not only in numerous instances, for that, he feared, was inevitable, unless under an entire change of system, but in instances far too numerous, the smaller schools continued unable to comply with the conditions which would entitle them to participate in the public grants. In the second place, there was a tendency to limit the education given in the schools to the three elementary subjects of reading, writing, and arithmetic; and even with regard to these subjects, the results were not altogether so satisfactory as they were entitled to expect; and, in the third place, there had occurred such a diminution in the number of pupil-teachers under the operation of the Code, as had not only unduly impaired the teaching power in the schools, but had also endangered the adequacy of the supply of candidates for certificates, the certificates being the very foundation upon which the whole superstructure of national education as aided by the State was raised. If these defects were inherent in the existing system, the House would admit that the subject was worthy of the consideration of Parliament.

With respect to the first defect—namely, the exclusion of small schools, for, practically, it was exclusion, he had high authority for saying that it, at all events, was a matter deserving the attention of Parliament. His right hon. Friend the Member for Calne (Mr. Lowe), in his speech explaining the Revised Code in 1862, after having enumerated 964 parishes, in five counties only, having each a population of less than 600, which derived no assistance from the State, said—

> "These districts contribute to the revenue equally with others, and it is exceedingly desirable, on the ground both of justice and policy, that they should receive back some share of the money."

In that opinion he (Mr. Corry) entirely concurred. Justice and policy alike required that small and poor schools should share in the contributions by the State towards the education of the poor; but it was well known that in thousands of instances they had failed to do so, and even if it were argued that their inability to fulfil the conditions required by the Privy Council was the result of the apathy rather than the poverty of the parishes in which they were situated, it could not be questioned that the proportionate expenses of small schools were far greater than those of larger ones; and this, in his opinion, gave them a peculiar claim to consideration. Compare, for example, two schools, one with 80 and the other with 40 children in average attendance. The Code did not require a pupil-teacher to be employed until there were 40 children above 50—that is, 90 children; and the grants could therefore be earned by the employment of one unassisted certificated teacher in both schools, while, assuming both to be equal in efficiency, the larger school, without any additional establishment expense, which the Royal Commissioners, in their Report (1861), estimated at more than 14*s.* in the pound of the whole of the expenses of schools, would receive twice the amount of public grants as well as, probably, of school fees from the parents of the children, in aid of private contributions. The Commissioners distinctly recognised the disadvantage under which small schools laboured in this respect. They said—

> "The expense of a small school, efficiently conducted, is far greater in proportion than the expense of a large one, and it has always been considered a fault of the present system that it does not touch the districts which most require it,"

and with the view of compensating this disadvantage they recommended a larger capitation grant in the case of schools having an average attendance of less than sixty children. That would form no part of his proposal, although one result of the Minute would be to give help to small schools, as well to those which were already connected with the Privy Council, as to those which had hitherto been prevented by their poverty from meeting the conditions of the grants.

He would now pass on to the second defect to which he had adverted—namely, that there had been a tendency of late years to limit the teaching in the schools to the three elementary, to the neglect of what were called higher subjects, such as geography, English history, and grammar, and that even in the elementary subjects the average proficiency was unsatisfactory. He was aware that it was a fault of the old system that it was too ambitious, and he was by no means an advocate for giving a high education to the children of the poor, which he thought would be far more likely to unfit them for the state of life to which they had been called, than to lead to any useful purpose. But there was a mean in all things, and he agreed with Mr. Morell, one of Her Majesty's Inspectors, who had expressed the opinion in his last Report that—

> "If the education given in a school is to be fruitful in after-life it is essential that it shall not consist merely in giving mechanical facilities, but that it shall arouse the intellectual power and give some taste of what knowledge really means, and draw out the determination and the will to acquire it."

That these higher subjects were now too much neglected appeared from many passages in the Reports of the Inspectors, some of which he would ask permission of the House to quote. In the Reports for 1865-6, Mr. Barry said—

> "In what are called the higher subjects of instruction (geography, grammar, and history), there has been a decided falling off since the introduction of the New Code."

Mr. Meyrick said—

> "Geography, grammar, and history, all of them very efficient instruments for opening the mind, have disappeared as subjects of study, or when they exist are scarcely the ghosts of their old selves."

Mr. Renouf said—

> "There are very few schools in my district in which, except as regards religion, . . . the instruction is not confined to reading, writing, and arithmetic."

Mr. Wilkinson said—

> "Last year I reported grammar, geography, and history as being in abeyance in many of the rural schools of my district; these subjects, if not quite set aside, still continue to be materially curtailed in favour of the paying part of the school system."

With respect to this last remark, the House was aware that no payment was now made in respect of educational acquirement, except on the results of the examinations in reading, writing, and arithmetic. He did not deny that a good foundation in reading, writing, and arithmetic, was of the first importance to the poor man's child, and if the results in these respects had been satisfactory he might not, perhaps, have thought it necessary to call attention to the absence of instruction in the higher subjects. But it could not be said that those results were satisfactory, although he wished here to say that if the original plan of his right hon. Friend the Member for Calne had been adopted—which was that every child to earn the grants must be examined, at a given age, up to a given standard—the state of things to which he was about to refer could hardly have existed. The statistics of the last Reports of the Inspectors would give the House a clear idea of the present average state of elementary proficiency. He found that in the assisted and inspected schools in England and Wales the scholars in average attendance in the year ending on the 31st of August, 1866, were 863,240. The percentage of infants under six years of age, and therefore by the rules of the Code not presentable for examination, was 25·97; above six, but not presented for examination, 8·44; presented for examination, 65·59; of these, there were presented in the three lowest Standards, I. II. III., 49·79 per cent; in the three higher Standards, IV. V. VI., 15·80 per cent, or less than a quarter. This was not an accident of ages, for if all above six years old had been grouped by age the percentage would have been 38·88 in Standards IV. V. VI.; and only 35·15 in I. II. III. Of the 15·80 per cent presented in the three higher subjects, 8·58 per cent were presented in Standard IV.; 4·96 in Standard V.; and only 2·26 per cent in Standard VI.; whereas, under a perfect system of grouping according to age, 11·51 per cent ought to have been presented in Standard IV.; 10·02 in Standard V.; and 17·35 in Standard VI. These figures referred not to passes obtained, but merely to the children presented for examination, and he would now state, not the percentage, but the actual number of children as they passed in the standards. Of the 863,240 children there were:—Under six years of age, 224,230; above six years of age, and presentable for examination, 639,190. Of these, there were actually presented 566,371; of which 364,126 passed without failure in the second standards. The number who passed in the three lower standards was 284,027, and in the three higher standards 80,099. Of the latter, 40,154 passed in Standard IV.; 26,884 in Standard V.; and no more than 13,161 in Standard VI. Of the 566,371 children presented for examination, only 13·161 had succeeded in passing in the sixth, or highest standard. To give the House an idea of what these standards were, he might state that, according to the Report for last year of the Committee of Council, "an ordinary child who was upwards of ten years of age could, if properly instructed, pass in Standard VI.," and the Report added "that the examinations continued to exhibit results which ought not to be regarded as satisfactory." The House would therefore see that his opinion in this respect was not singular, but was, on the contrary, supported by high authority. He must not, however, allow the House to consider that these unsatisfactory results were attributable altogether, or nearly altogether, to defective teaching. It was traceable to various other causes—to early removals from schools, to irregularity of attendance, to capricious removals of children from one school to another, and other such causes—but the fact remained that only a small proportion of the children ever reached the higher standards, and he would describe the value of such results in words which would carry with them much greater weight than any which he could utter. He would take the liberty of quoting from the Report of the Committee of Council for the year 1862, which bore the signature of the right hon. Gentleman the Member for Calne, and of the late Lord President—Earl Granville—

> "We regret that our first proposal to examine children for grants according to age had to be withdrawn. . . . Age and proficiency coincide, in fact, far oftener than not. . . . The reason for examining according to age was that the amount of proficiency required by Standard VI. represents the minimum of book instruction which can be put to practical use in life. Less than this is almost sure to be forgotten, because it cannot be used with pleasure or profit. . . . It can never be too well remembered that the probability of the next generation becoming duly educated depends on the number of children who secure the indispensable minimum of instruction *before* a given age, which the labour market inevitably and inexorably fixes. . . . It may generally be assumed that each child who in the 10th, 11th, and 12th years cannot pass according to Standards IV. V. VI., will never possess even the humble attainments which those Standards denote, and that, so far as the secular instruction of that child goes, the school which is paid on his account has done little or nothing to better him in life."

It might be said that the Revised Code had not been long enough in operation to enable them to judge of its ultimate effects; but the latest Returns did not exhibit improvement, but the reverse. The percentage of failures in England and Wales in 1865, were 13·09 in writing, 23·58 in arithmetic; in 1866, 13·67 in writing, and 25·28 in arithmetic; there had been a small diminution of the percentage of failures in reading, but in writing and arithmetic the reverse was the case. The second object of the Minute was to obtain more satisfactory results in these respects, and to improve the quality of the education given in the schools; and, with this, the third object was intimately connected—namely, the maintenance of a more adequate supply of pupil-teachers. The tendency of the old system, under which the whole of the salary was paid by the State, was to encourage the employment of too many pupil-teachers. The Revised Code had led to the employment of too few, for under it no pupil-teacher was required unless there were ninety children in the school. Now, he (Mr. Corry) held it to be plainly impossible for a single teacher to give efficient instruction to anything like that number of scholars, consisting of infants, and children of from six to twelve years of age, divided into various classes under the several standards, and he considered it to be absolutely necessary not only to arrest the decrease, but also to encourage an increase in the number of pupil-teachers. Exclusive of Scotland, which the Minute did not touch, as the schools in that part of the United Kingdom were still paid under the old Code—exclusive of Scotland, the number of pupil-teachers was 13,393 in 1861, 12,803 in 1862, 11,590 in 1863, 9,907 in 1864, 9,556 in 1865, and 8,970 in 1866; so that the pupil-teachers, who in 1861 numbered 13,393, were now reduced to 8,970, being a diminution in six years of 4,423. Even this did not represent the whole state of the case; because, concurrently with that diminution, there had been a considerable increase in the number of schools and of scholars. In 1861, there were 8,494 assisted schools in England and Wales, while in 1866 there were 9,844; and the average attendance of children at assisted day schools, which was 753,444 in 1861, was 863,420 in 1866; showing an increase of 1,350 schools, and 109,976 scholars. The ratio, therefore, of pupil-teachers to scholars, which in 1861 was 1 to 56, had become 1 to 96 in 1866. It was true that in 1861 the number of assistant teachers was 316, and in 1866 it was 974; so that there had been an increase of 660 in assistant teachers; but this was a very small set-off against a diminution of 4,423 pupil-teachers. This falling off had been noticed with regret, and even with alarm, by the great majority of the Inspectors. Mr. Campbell says—

> "In my last Report I ventured to predict the demolition of the pupil-teacher system; as far as the circumstances of my district are concerned, I seem to have been correct."

Mr. E. P. Arnold says—

> "It is in the schools which have an attendance, averaging from forty to ninety children, that the loss has been especially felt."

Mr. Moncreiff says—

> "Male pupil-teachers seem to me to be rapidly disappearing from all except a very few of the larger schools."

Mr. Robinson says—

> "Pupil-teachers have decreased by exactly one-half. The majority of schools in this district fall below an attendance of ninety, which requires the employment of an apprentice. I believe the disuse of pupil-teachers to be the main cause of decline in many schools which have hitherto been most efficient."

Mr. Warburton says—

> "I feel bound to represent to your Lordships that very serious evils result from the (practical) abolition of pupil-teachers in schools containing between fifty and ninety children, a class which includes the majority of country schools. My almost daily experience has convinced me of the urgent necessity which exists for taking some steps to remedy this evil."

Mr. Watkins says—

> "Out of 160 schools (in this district) receiving annual grants, more than one-half of them are now without pupil-teachers. Considering pupil-teachers as the chief reservoir from which the great supply of school-masters and mistresses is to be drawn, their diminishing quantity is a fact of great importance for the future. Their place is not adequately supplied by assistant teachers."

He would only add, in corroboration of his (Mr. Corry's) opinion as to the danger of the decline of the pupil-teacher system, a short extract from the evidence of Mr. Tufnell, a gentleman of great ability, who was well-known by many Members of the House, and who had devoted his whole life to the promotion of education. In his examination before Sir John Pakington's Commitee in 1865, Question 1,160, that gentleman said—

> "There is one part of the Revised Code which is doing an injury to the country, which it is impossible to lament too seriously. I allude to the discouragement which is thrown upon the engagement of pupil-teachers. The whole pupil-teacher system is now in danger of being upset, and, with it, that of the training schools, and if you upset those two things you bring back education to the state in which it was twenty-five years ago, and all the labour which has been undergone, and the £4,000,000 which have been expended in that office during the last quarter of a century, will be rendered useless."

He was aware that the falling off was attributable, in a great measure, to the state of the labour market, and that there was great difficulty in finding young persons willing to assist in schools at the small salaries which were given; but still, he did not doubt that the want of supply was, in a great measure, attributable to the want of demand, and the third object of this Minute was to encourage a greater demand for, and thereby a more adequate supply of, pupil-teachers.

Having now pointed out the defects which he wished to remedy, he might state that the plan which he proposed was based on a recommendation by Mr. Moncreiff, one of the ablest and most intelligent of Her Majesty's Inspectors of Schools. His attention having been directed to the great difficulties of small schools, Mr. Moncreiff offered the following remarks, which were quoted in the last Report of the late Committee of Council on Education:—

> "The schools which suffered most from the introduction of the Revised Code were the very small schools with certificated teachers. The loss of the augmentation can very seldom in their case be made up by the new grants. And even the augmentation hardly balanced the greater proportionate expensiveness of a little school kept up to the standard of efficiency. I propose, then, without drawing any line between school and school, that the first 120 'passes' in any school be paid at a higher rate—say 4*s.* instead of 2*s.* 8*d.* This would give but little trouble; the amount (£24) would become a fixed quantity for all except the very smallest, or the very feeblest schools. It is obvious that the additional amount would be a boon to the small, and but a trifle to the larger school. It would also diminish the relative loss by unavoidable accidents of inspection."

It might here be right that he should explain to those hon. Members who were not conversant with the subject that every child might obtain three passes—one in reading, one in writing, and a third in arithmetic—so that forty children, if all succeeded without failure, would obtain 120 "passes;" but, at the present average rate, it would require about fifty-four children to do so. Mr. Moncreiff's plan would, no doubt, have relieved small schools; but it would have done so in a costly manner, because it would have extended the increased rate to large schools, which, as a general rule, did not require it, and that without any compensating advantage. But when he (Mr. Corry) came to look into the subject, he found he had to deal not only with pecuniary poverty, but with educational poverty as well, and he therefore proposed, in conformity with Mr. Moncreiff's suggestion, to offer the increased rate to all schools, but subject to certain educational conditions the general character of which he would presently explain.

The details of the plan embodied in the Minute were these:—in the first place, all schools fulfilling the required educational conditions would be entitled to payment at the rate of 4*s.* per pass (instead of 2*s.* 8*d.*) on any number of passes not exceeding 120; the present rate of 2*s.* 8*d.* per pass to continue in force in respect of all passes exceeding 120. The additional grant to a school obtaining as many as 120 passes would be £8, and less in proportion to any less number of passes obtained. In the second place, the educational conditions were—first, that there should be one pupil-teacher for every forty scholars above 25, instead of above 50, as at present (or one assistant teacher for every 80 above 25); and the result would be (as regarded pupil-teachers) that, to entitle a school to the additional rate of payment, a pupil-teacher must be employed when there were 65 scholars in average attendance instead of 90, as under the present rule, and in the same proportion in respect of larger schools, 25 being substituted for fifty as the starting-point throughout. The second educational condition was, that the number of passes obtained should bear a minimum proportion to the number of scholars above six years of age in average attendance. The third was, that a certain proportion of the whole number of passes should fall under Standards IV., V., and VI. The fourth, that a certain proportion of the scholars should pass a satisfactory examination in at least one subject beyond the elementary subjects specified in the several standards. Those were the educational conditions required by the Minute. It also provided that a scholar, after having passed in the sixth standard, might bring a further grant to the school for one year only, on passing a satisfactory examination in any higher subject or subjects. This last provision would, he thought, be found a very valuable one. At present, no scholar could earn a grant for his school after he had passed in Standard VI., and the result was that the managers had a pecuniary interest in presenting the more intelligent scholars, who might be capable of mastering two standards in a year, for examination in lower standards than they were qualified to pass in. In the third place, as a further encouragement to the employment of additional pupil-teachers, the Minute provided that grants should be made to the managers of all schools fulfilling the conditions of the Minute in respect of pupil-teachers (but not otherwise), of £10 for every male pupil-teacher passing into a Training College in the first class, and of £5 for every male pupil-teacher passing in the second class. Also, that grants should be made at the examination after the first year's residence of £8 for the students placed in the first division, and of £5 for those in the second division. This would also be found a valuable provision, and would encourage managers of schools, and he hoped teachers also, as he had no doubt a portion of these grants would be assigned to them, in their endeavours to induce the pupil-teachers to remain in the profession, and become candidates for certificates in the Training Colleges. This provision would be limited to male pupil-teachers, and would not at present extend to Scotland, where the payments, as he had before observed, were still made under the old Code. He would now come to the estimated cost of this scheme. The increase for the first year would not be very considerable, from three causes. In the first place, all schools were paid for the year, down to the last day of the month preceding that of their inspection —so that a school inspected in May next, for example, would be entitled to only one month's payment of the increased rate, from the 1st of April—and so in proportion, in respect of other schools, inspected in other months of the year. Another reason would be the difficulty which would be experienced for some time of complying with the educational conditions; and the third was that there would be no premiums on the second year's examination of pupil-teachers coming in course of payment during the ensuing financial year. For these reasons the Estimate of 1867-8 for the increased rate of grants was only £13,000; and for the premiums on the admission of pupil-teachers £2,200, making a total of £15,200. It was right, however, he should frankly tell the House that in future years the cost would be much more considerable. The Estimate for 1868-9 would probably fall not far short of £40,000; and eventually, in the course of three or four years, when the scheme would be in full operation, the annual increased expenditure calculated on the present number of schools would probably exceed £60,000, or might amount to £70,000. The plan which he had described had no pretension to be a complete remedy for the various defects he had indicated, still less for those shortcomings which had been the subject of debate two nights ago, and to which the attention of his right hon. Friend the Secretary for the Home Department had been directed; but he trusted it would give a stimulus to education, and produce results far more than commensurate with the cost of obtaining them. He hoped to give help to small and needy schools, already in connection with the Privy Council. He hoped to encourage small and needy schools, not in connection with the Privy Council, to place themselves in connection with it. He hoped to improve the quality of the teaching in all assisted schools, and to obtain a more adequate supply of pupil-teachers; and it would be a source of the highest gratification to him if the plan should prove conducive to the extension and improvement of the education of the poor.

MR. BRUCE said, that the House was aware that ever since the Revised Code had been established efforts had been made to break down the certificate system, in order to facilitate the conditions of aid, and the extension of education. The question whether the certificate should be a necessary condition of the grant from the State was thoroughly examined by the Committee appointed the year before last on the Motion of the present First Lord of the Admiralty; and he believed he might venture to say that although no positive conclusion was arrived at, there was a very general concurrence of opinion on the part of the Committee that no change should be made in that respect. The right hon. Gentleman (Sir John Pakington) went into the Committee with strong views; but the result of the evidence adduced was that his opinions underwent much change, or at least modification, and a similar change took place in the opinion of at least one other member of the Committee. At the same time, there was a concurrence equally general that there were certain portions of the Revised Code which were susceptible of improvement, by which, without infringing any principle of that Code, greater encouragement might be given to schools in the poorer districts both of town and country. He should be the last man to underrate the advantages of the Revised Code, for he well knew how much it had effected. It had supplied an admirable, a searching, and a discriminating test of the education given in the schools; it had swept away a great deal of superfluous expenditure, and, above all, it had secured for every class of children, the youngest as well as the oldest, an equal share of instruction. Those were only a few of the advantages of the Revised Code; but, on the other hand, he was bound to admit that the change, coming suddenly as it did, pressed very heavily on the resources of managers, and tended in some cases to check the ardour displayed in the promotion of education. It had considerably reduced the salaries of teachers, and by so doing had affected the supply of pupil-teachers; and by its tendency to raise school-fees to meet the deficiency of the grant, it had aggravated one of the evils most strongly urged against our system—namely, that it gave aid where it was least wanted, and withheld it where the need was sorest. It was the object of the right hon. Gentleman, as the House must have perceived, to deal with all these points. As the right hon. Gentleman had truly stated, the position of the smaller as compared with the larger schools was no doubt one of hardship. The contribution of the State was a fixed quantity, whereas the expenses of the schools varied according to the numbers attending them. A large school might be conducted for 20*s.* a head, whereas in a small school the expense might be as high as 40*s.* or even 45*s.* per head, while the contribution of the State in both cases would be about 9*s.*, and of course the difference had to be made up from the local contributions. The Revised Code, not as it was originally introduced, but as it ultimately passed that House, had the effect of reducing the grant from 11*s.* 6*d.* per child to 8*s.* In the country districts the pressure fell on the resources of the clergy, already overburdened. The decrease in the salaries of teachers had been very considerable. The salaries of the masters in 1865, as compared with 1861, had fallen from £92 to £84, and the salaries of the schoolmistresses had been diminished by the still larger proportion of about one-seventh, and there was every year an increasing difficulty in supplying the schools with proper staffs. So strongly was that felt to be the case by the Lord President and himself last year that, before they left office, they had determined to propose for the consideration of the Government a plan somewhat similar to the one which the right hon. Gentleman had just submitted to the House. An important point, no doubt, for the consideration of the House was the increased cost of these changes. They must, however, remember what had been the effect of the Revised Code in reducing the cost to the State of their educational system. In 1861 the sum expended for educational purposes by the State was £813,000; and last year it was only £626,000; they were, in fact, educating 300,000 more children in 1865 than in 1861, at a cost of £177,000 less. If this branch of their expenditure had gone on increasing in the same ratio as it had done before 1861, no doubt it would have exceeded £1,000,000 at that moment; so that it might be fairly said that the Revised Code had saved them somewhere about £400,000 per annum. But if that great reduction tended in any way to impair the efficiency of the education given, or to cut off the future supply of teachers, he was sure the House would be ready to make due provision for that which they had all most earnestly at heart—namely, the education of the poorer classes. The right hon. Gentleman (Mr. Corry) had endeavoured to grapple with these difficulties; but there was one point having an important bearing upon the case of the rural schools especially, for the maintenance of which additional means were to be provided, which deserved the greatest attention. He referred to the settlement of the question of the conscience clause. The chiefs of the Established Church had in many instances come forward and expressed most just and liberal views on that subject, and he hoped the right hon. Gentleman would not during his tenure of office lose any opportunity of bringing that matter forward and endeavouring to effect its satisfactory settlement. Those among the clergy who objected to the Conscience Clause would, not improbably, accept from Parliament terms which, if consulted, they would not agree to; and the time had come when a final solution of this irritating controversy might, in his opinion, be effectually applied.

MR. POWELL congratulated the right hon. Gentleman that he had been able to lay on the table a Minute conceived in a liberal spirit, and designed to carry out a reform of a kind and generous character towards those interested in promoting the education of the people. If there was any omission in his statement which he (Mr. Powell) regretted, it was the omission of any promise for larger building grants. There had recently been a great increase in the cost of building, and circumstances had arisen which had greatly increased the difficulty of all operations of that nature. He had hoped that whenever any amendment was made in the Revised Code, one important alteration would have been the providing of a more liberal grant towards the foundation and building of new schools. However, he hoped that during the Session of 1868 an Amendment of that kind might be introduced. He had heard with satisfaction that the Government intended to adhere to the practice of having certificated masters, the evidence in favour of which was very complete. There was some variety of opinion upon the question, and reference had been made to the United States, it being said that in many States of America there was not a system of giving certificates from the central Government. The reason, however, was that while in England we had a central grant and central certificates, they had in the United States local administration, local taxation, and, as a necessary consequence, a system of local certificates. On the Continent, wherever the educational system was of the same nature as our own, there was the same system of certificates as in England. There were now in many of the districts of the country signs rather of retrogression than of progress in popular education, and the Inspectors, who dealt with the small schools, were unanimously of opinion that those schools were falling back; it was therefore necessary that we should make some effort to stop the decay and disappointment that might otherwise ensue. The masters, it appeared, felt a great reluctance to have pupil-teachers, doubtless because of the trouble involved in instructing them; and on the part of the managers the same feeling existed, owing to the great complexity of the Revised Code; but he hoped that the portion of the Code which dealt with that point might be amended. He was sorry to find that the schools had been falling off in the supply of material—in maps, books, and illustrations. The contrast between the schools in England and Ireland was greatly to the disadvantage of the schools in this country, and we certainly had a right to expect that our schools should not be inferior to those in Ireland. Let the Irish schools be improved as far as possible; but let the English schools be equally improved at the same time. He was glad that the proposed step was to be carried out, and thought our educational system would be much benefited.

MR. LOWE: Perhaps the House will remember that the system of education in this country is a voluntary system, and that if it is pronounced by its friends and advocates, like the hon. and learned gentleman opposite (Mr. Powell), to be inefficient, the blame is not to be thrown principally on the Government, but on those by whom the present denominational mode of management has been set up. The hon. and learned Gentleman compares the case of England and Ireland; but in Ireland the system is a Government system almost entirely, and if the schools are bad, then blame the Government. But in England the foundation is voluntary, and all the Government does to the schools is to aid them. This is not from the wish of the Government, but from the wish of the different denominations themselves, for they knew very well that those schools which were supported by rates would soon cease to be denominational. It is too much for those who are the friends and supporters of the system to turn round and complain of the Government because education on the system on which they have placed it does not go on so well as could be wished. Look at the fact as it stands. We undertook the Revised Code in 1862, when we found the expense of the grant was increasing at the rate of £100,000 a year; and when we found that the education given was very bad indeed. When we examined the children the statement of the Commissioners was borne out, for not one-fourth of the children were found sufficiently taught to be worth speaking of at all. We believed we could reduce the cost and increase the efficiency of the schools; and what have we done? We have reduced the expenses to the amount of £400,000 a year, according to the statement of the right hon. Gentleman opposite, who is supplied with later information than I am; though it occurred to me, when I estimated the matter from data supplied to me by Sir James Kay Shuttleworth and other gentlemen, that the figure should be put somewhat higher. And for this decreased expenditure I believe we have given a much more efficient education than before. We were told at the time "You may do that, but you will so screw and injure the schools that they will not be worth nearly so much afterwards." But what has been the result? As my right hon. Friend opposite has stated, 1,300 new schools have come into existence, and 110,000 more children have been added as scholars—and that at an expense, proportionately speaking, of £500,000 a year less than you would have been paying had not the system been altered. But then you are not contented, although the work is done better and cheaper. You are not satisfied, but must all begin tinkering and pulling to pieces the system which has produced such results, because you say fewer pupil-teachers are employed. Of course there are fewer pupil-teachers, and so there ought to be. Under the old system we were paying the whole salary for every pupil-teacher, and only part for other teachers—giving a bounty for every one of them — and of course all school managers got as many as they could. But afterwards, a grant was given to the managers to spend as they pleased and they naturally spent it as economically as they could, fewer pupil-teachers were employed, the cost of education was diminished, not only to the State, but to the managers themselves, and now we have a better, because better tested, education, at a considerably less cost. Why cannot you let the matter alone? Why are we to be asked in the name of education to give £70,000 more to the grant, in order to undo the work that has done so well? You have adopted a system faulty in principle in deference to the feelings, or, I should say, in deference to the prejudices of the different denominations. If the managers are not contented, when it is proved to demonstration that the system yields much good, notwithstanding its faulty principle, I say they are acting most unwisely, and that if they attempt to bend the bow any tighter it will break in their hands. The system is not defensible upon abstract principles, and the only way to defend and maintain it is by making it so economical and so effective that practical men may hesitate to sweep it away, knowing the immense waste of time, of power, and of trouble which would be involved before you could get a new system which, though theoretically better, would be practically as good. If you, by making it needlessly expensive, break the system down, there is nothing before it but a speedy extinction.

Colonel SYKES thought it an immense drawback in the progress of education that children of ten years of age were generally withdrawn from school and sent out to work by their parents. The consequence was, that they learned nothing that they retained. They got a smattering of reading, writing, and arithmetic, but that was soon forgotten; and even if it were not forgotten, it was not education—it was only a means for education. Reading, writing, and arithmetic no more made an education than knives and forks made a dinner. The consequence of all this was, that only 15 per cent out of 850,000 children acquired anything like an education at all. How, then, was the present state of affairs to be remedied? By nothing less, in his opinion, than the establishment of a compulsory system, as in Prussia, where the parent of every child was made responsible for its attendance at a public school. He should also recommend the giving of State aid to evening schools to which adults might be enabled to go when their day's work was over.

Mr. HUBBARD said, it was an entire mistake to suppose, as the right hon. Gentleman (Mr. Bruce) seemed to suggest, that the builders of schools would accept from a Tory Administration a less measure of justice than they were prepared to accept from a Whig Government, as regarded the privileges which, in a denominational point of view, they were entitled to expect. But he wished to correct an impression that seemed to have been conveyed in some of the remarks which had been made upon the Conscience Clause and the building grants. With regard to the building grants, the diminution in them arose out of the diminution in the applications for them—a circumstance which was due to the operation of the Conscience Clause. As to the clergy of the country generally, and their view of the Conscience Clause, they had a great duty to perform, and all they wanted was fair treatment — the same fairness which was given to Roman Catholics, Wesleyans, and other denominationalists.

Mr. AYRTON asked on what night the right hon. Gentleman opposite proposed that his scheme, subverting that of his right hon. Friend the Member for Calne, should be taken into consideration by the House?

Mr. CORRY replied, that his plan, so far from subverting, would, in his opinion, rather tend to strengthen the system introduced by the right hon. Member for Calne (Mr. Lowe). As to fixing a day for the discussion of the Minute, he could only say that it would, in accordance with the rules, lie on the table for a month, when, if not opposed, it would be inserted in the Code for next year.

Mr. LOWE: I am afraid there will be no vacant day during the ensuing month when the Minute can be discussed. Will the Government undertake that it shall not come into effect until we have an opportunity of pronouncing an opinion upon it?

Mr. WALPOLE replied, that such an opportunity would present itself on the Motion for going into Committee of Supply.

BRITISH NORTH AMERICA BILL.

(*Lords*)—[Bill 52.]—SECOND READING.

Order for Second Reading read.

Mr. ADDERLEY: Sir, I rise to move the second reading of a Bill for the union in one Dominion, of the Canadas, New Brunswick, and Nova Scotia. What I have to ask the House to do is to give their consent to the proposal of the representatives of these three Provinces. Eminent public men representing all shades of political opinions in these Provinces are in this country at the present moment, having been delegated by the Governors, on Addresses of the Legislatures, to ask Her Majesty to submit to the Imperial Parliament a scheme of union which embodies almost literally and without modification the Resolutions adopted at a representative Conference at Quebec in the year 1864. I need not go far back to show the origin of this desire of the Provinces to be united in one Dominion. It has gone on increasing from year to year, and if it was well founded years ago it is infinitely more justified by the circumstances in which the Provinces are now placed. The first official document in which the many obvious reasons for this union are stated with great ability, is the Report of Lord Durham's Commission, published nearly thirty years ago. Since that Report was made the union has formed a prominent subject of discussion both in public and in private. It became the leading topic at public meetings and in Parliamentary debates, and the frequent subject of men's conversation throughout the Provinces. In the year 1849 an association called the North American League was formed, and held its meetings in Toronto, for the purpose of promoting this object. Its name will recommend itself to many Members of this House as expressive of popular feeling, and legitimate agitation. In the year 1854, the Legislative Assembly of Nova Scotia came to a Resolution in favour of a general union, the Resolution being promoted by the most prominent men of all political parties. Mr. Johnston on one side, and Mr. Howe on the other, share together the credit of the first legislative action on the subject. In the year 1858, the Coalition Ministry of Canada, Sir Edmund Head being the Governor General, first made this scheme a Ministerial measure, and a despatch was addressed to the Home Government on the subject. This was the first correspondence with the Home Government relative to the union. In the year 1861, Nova Scotia again took the lead in the matter, and proposed a conference of delegates from each of the Provinces to consider the subject. The result of their deliberations was communicated to the Colonial Secretary of that period, the late Duke of Newcastle; and in reply to their communication he stated, that if it was clearly the desire of the Provinces to be united the proposal would be carefully considered in this country. I refer particularly to this fact, because it has recently been asserted that the measure was pressed on reluctant colonies by the Home Government, while in reality a more calm and colourless answer than that of the Duke of Newcastle was never sent from any public Office. In consequence of that answer, at the end of 1863, the people of Nova Scotia and of their fellow Maritime Provinces proposed to hold a conference, and Canada then, for the first time, asked to be a party to the proceeding. These are all important points in the history of this proposition, because it has been stated that Canada urged the measure on the smaller Provinces, and thus used its superior influence for local purposes; while that is so far from being the case, that it was after the Maritime Provinces had determined on holding a conference for the promotion of that object that Canada requested to be allowed to join in their deliberations. It has also been said that it was the constitutional difficulties of Canada that led to the formation of this project. Now, it is true that Canada had at that time constitutional difficulties to encounter; but those difficulties were no more the cause of the proposal for the union of the Provinces than the divorce of Henry VIII. was the cause of the Reformation. It was but an accident which precipitated that which was in itself desirable, and which every one wished to see effected. Those delegates from all the Provinces met at Quebec in the month of October, 1864, and they adopted a series of Resolutions for the project of an union which are embodied in the Bill now before the House. The proposals which they adopted were communicated to the late Minister of the Colonial Department, the right hon. Gentleman opposite (Mr. Cardwell), than whom I will now venture to express my opinion, as I have already frequently expressed it in opposition, this country never had a more statesmanlike Colonial Minister. He having received and carefully considered these Resolutions, replied in a despatch addressed to Lord Monck, the Governor General—to whom also I will pay this tribute, that I believe it was fortunate for those Provinces that they had so able, so judicious, and so successful a Governor at so critical a juncture. The right hon. Gentleman opposite in his despatch expressed his belief that it was high time that the inhabitants of those Provinces should take upon themselves those duties of citizenship which we took upon ourselves at home; that it was absolutely necessary they should make greater military preparations and undertake some works of defence. It is by no means true that there is anything in that despatch which can be fairly represented as urgently forcing on the union—the fact is that at that time a correspondence was going on relative to the insecure condition of those colonies, and the right hon. Gentleman was justified in telling their inhabitants that they should take on themselves the duty of citizens, and that it was necessary that they should make greater provision for the defence of their country. To that appeal the colonies made a noble response. In the following year the Colonial Legislatures met, and in the three Provinces to which this Bill applies addresses were passed which led to the Governor General sending to this country those delegates who are now among us for the purpose of asking the Imperial Parliament to sanction in the form of a Bill the Resolutions to which they agreed at Quebec.

I need not, I believe, now weary the House by entering into any minute explanations with respect to the details of the measure; for though the Bill was presented to Parliament only about fourteen days ago, yet the substance of its provisions have for a long time been discussed in the public press before it became the subject, a few nights ago, of an able and elaborate statement made by the noble Earl the Secretary for the Colonies. I therefore may reckon on the House being pretty well acquainted with the details of the Bill, and it will be sufficient if I give only a general outline of its provisions. The Bill provides that the Canadas, New Brunswick, and Nova Scotia should form one dominion, under the common name of Canada; and that the colonies so united should comprise four Provinces—Ontario, Quebec, Nova Scotia, and New Brunswick. It was proposed that the four Provinces should have a common Parliament at Ottawa, consisting of a Senate and a House of Commons. By Her Majesty's Proclamation, Ontario, which is now called Upper Canada; Quebec, which is now known under the name of Lower Canada; New Brunswick, and Nova Scotia, will become one Government. The Senate will be composed of seventy-two Senators, nominated by the Governor General, in the name of Her Majesty, for life—twenty-four of them for Ontario, twenty-four for Quebec, and twenty-four for the Maritime Provinces. But as the strict limitation of these numbers might lead to a dead-lock between the Upper and the Lower Chambers, it is provided that the Governor General shall, with the Queen's approval, have the power of adding two triplets of Senators to these seventy-two, so that he might enlarge the Senate to seventy-eight members; but that number they can never exceed. If on any occasion such additions are made the number will be allowed to die down again to seventy-two. The House of Commons is to consist of, at first, 181 Members—eighty-two for Ontario, sixty-five for Quebec, nineteen for Nova Scotia, and fifteen for New Brunswick. The existing election laws will continue; but these numbers are to be adjusted to population from time to time, according to a decennial census, in the manner adopted in the American House of Representatives. The Provinces are to have Local Legislatures for local purposes; and each of them is also to have a Lieutenant Governor, named by the Governor General. Ontario will have a single Chamber, to be styled the Legislative Assembly; Quebec will retain the present form of the Legislature of the United Canadas; New Brunswick and Nova Scotia will retain their present Legislatures. The power of the Provincial Legislatures, in reference to legislation, will be confined to a certain number of specified subjects. The Governor General will have a veto on all legislation; and the Central Legislature will be invested with a general power of providing for the good government and peace of the country; but without derogating from the general power, certain specified powers are enumerated for the Central Legislature. It will be seen that by these provisions arrangements are made as far as possible for ensuring the unity and strength of the Central Government. I think I need hardly trouble the House with the other provisions of the Bill. There is, I believe, only one other clause to which I need now allude, and that is a clause by which these Provinces bind themselves immediately to proceed to the construction of a great international railway, which they regard as the backbone of the general scheme of union. There is nothing in this Bill which implicates this House or this country in that undertaking; but it is only right I should add that the adoption of that provision will render it necessary for me to ask the House to guarantee the interest of a loan by means of which the railway is to be constructed. I think I have now sufficiently described the Bill. The House will see that its most striking feature is a scrupulous adherence, as far as the circumstances of the case would permit, to the constitutional forms of this country. I leave every Gentleman to judge for himself, and appreciate, as I hope they will, the causes which have led to this sensitiveness of filial piety—this almost morbid dread of departure from the institutions of the mother country, and of any approximation to institutions nearer to themselves; but certainly that is one main feature of the Bill as presented to the House. The adoption of the principle of federation, as compared with what might be preferable if practicable, a solid legislative union, is simply the consequence of the absolute necessity of the adjustment of inveterate local interests, and the ultimatum of mutual compromise between the Provinces. The House may ask what occasion there can be for our interfering in a question of this description. It will, however, I think, be manifest, upon reflection, that, as the arrangement is a matter of mutual concession on the part of the Provinces, there must be some external authority to give a sanction to the compact into which they have entered. It is very true we have often given to colonies, secondary in importance to these, the task of framing their own Constitution. A general Act was passed two years ago which gives to all colonies with representative institutions the power, at any time, of altering their Constitution within certain limits; but it is clear the process of federation is impracticable to the constituent Legislatures. If, again, federation has in this case specially been a matter of most delicate treaty and compact between the Provinces—if it has been a matter of mutual concession and compromise, it is clearly necessary that there should be a third party *ab extra* to give sanction to the treaty made between them. Such seems to me the office we have to perform in regard to this Bill. We have, in fact, to accept or reject theproposal which the Provinces have made to us. We certainly ought to guard most carefully against anything being effected by the Act injurious to Imperial interests, as distinguished from colonial interests; but I ask the House whether any Imperial interests are involved in this Bill which can in any way be distinguished from colonial interests? I say our interests are identical. Whatever developes the resources and contributes to the prosperity of the colonies contributes to the prosperity of the Empire; whatever strengthens them strengthens us; and no one can for a moment harbour the thought of doing anything to impede or obstruct the progress of the colonies by way of retaining them in a condition of dependent weakness. But if no Imperial interest is sacrificed by this Bill, let us see whether we can hope to improve it in the interest of the Colonies. I think the time has gone by for either the Parliament or the Government of England to attempt to teach colonies like these their interests better than they can judge of them themselves. It is now nearly 100 years since the Parliament of this country was engaged in precisely the same task for the New England States which it is now undertaking for our present North Amercian Colonies, with the object of enabling colonies that never thought of coming here for any assistance, either in money or arms, better to defend themselves against the attacks of neighbouring Indian tribes, and even against the invasion of European armies. It is to no purpose to say that the union which afterwards took place was in antagonism to ourselves—that was simply our own fault and folly; but it is significant that the union proved its effectiveness. We have since attempted both to maintain and govern colonies from this country, but the attempt has utterly failed; and to our largest colonies within the last few years we have, without exception, given the powers of self-government. What the North American colonists ask us to do by this Bill is to extend to them the natural corollary of self-government, and to enable them by union to take upon themselves all the duties of British citizenship. But I am aware that criticisms of this scheme are not wanting; and I find that some persons object to the existence of a nominated Senate. Those critics allege that a nominated Chamber of Legislature never succeeds in our colonies, and that as regards this particular case the Canadians themselves had a nominated Chamber, and afterwards thought it advisable to substitute an elective Chamber. Strange that those who are quite willing they should have made this change cannot allow that they may have satisfactory reasons, on further experience, for returning to the system of nomination. I say nothing of what may have made the old nominated compact distasteful and the new elections intolerable; but who is the best judge? If they wish for nomination in the new plan, why should we forbid it? Another critic, who demands that the central power shall be strengthened by every possible means, says the Lieutenant Governor should be elected. I think the difficulty lies in making the central power sufficiently strong. The nomination of the Provincial Governor by the Central Power is in the interest of united government. Lastly, there are some who say that, whatever the merits of the measure, it ought not to receive the sanction of the Imperial Parliament until it has been referred again to the voice of the people. Can anything be more absurd or inexplicable, except by an utter ignorance of the subject? For instance, is Canada to be thrown back upon a General Election in order to repeat an expression of her opinion upon this subject, which she has been discussing and urging for the last twenty years? There was a General Election in 1863, and both in 1863 and 1864 the question was fully debated in the Colonial Legislature. Since that period, there have been no less than twenty-four vacancies in the Legislative Council, and every one of these has been filled up by unionists. Can any other proof be required of the sustained conviction of Canada that her interests require that the proposed union shall be carried out without unnecessary delay? Canada, indeed, has not been precipitate in this matter. She was the last to come to the conference at Quebec, and the last to come now to England. She kept the delegates of Nova Scotia and New Brunswick waiting six months before she came to this country. Therefore, the very last assertion which could be made by the Maritime Provinces against Canada would be that of precipitancy of action in urging on them this scheme of union. But no more do the other Provinces require re-consultation. New Brunswick has had an election on the subject itself, and deliberately pronounced in its favour. Nova Scotia initiated the proposition, and has had repeated elections since. I must point out that the advocates of delay are of the most remarkable kind, both personally and with respect to the nature of their arguments. The person who is most anxious for delay was the first and ablest in promoting the proposition; and what does he say? He says—"I allow something must be done. It is impossible to leave things as they are. But there is another alternative, and that is, the whole British Empire might be organized into one—Canada, Nova Scotia, and New Brunswick might meet here in Westminster, instead of having their Provincial Parliament in Ottawa." This, Sir, is a subject that has been discussed over and over again, more as a exercitation than as a practical or rational proposition. It does not require more than a moment's consideration to show that it is futile and visionary. The objections to union, then, being futile, and the only alternative proposed being visionary, I will ask the House to consider what are the palpable reasons and advantages which fully account for and justify the deliberate decisions to which these colonies have come to ask this House to sanction the terms of union to which they have agreed among themselves. The commercial advantages are, perhaps, the most prominent, and the least open to question or dispute. The idea is absurd of retaining a system of different commercial tariffs amongst these contiguous Provinces which are ruining and keeping down their trade. Why, the effect of the reciprocity treaty between the United States and Canada was to develop the commerce between these countries in one year from 2,000,000 to 20,000,000 dollars. That treaty has now ceased; but surely that is a reason why, at least amongst themselves, there should be the most perfect reciprocity. Well, then, as to their mutual interests, who can doubt that these three Provinces—the wheat-growing West, the manufactures Centre, and the fisheries and outlet on the coasts, are necessary to each other to make one great country jointly developing diverse interests. Was there ever, let me ask, a country so composed by nature to form a great and united community? By their mutual resources—by the assistance of their different interests, they would make together a powerful and prosperous nation. As long as they remain separate they are a prey to the commercial policy of other nations, and mutual jealousies among themselves. Disunion saps their liberty as well as their power, and paralyses their self-reliance. On the other hand, one united Government would be able to keep the peace, and would remove every temptation to aggression. One national Government composed of the best men out of all the Provinces, would draw out and develop the resources of the country for the common interest; and, at the same time, a combined revenue would give larger credit, and enable greater economy. I wish to read a short extract from a letter of Queen Anne to the Scotch Parliament in 1706, on the union of these two countries. It bears upon the case before us in two ways; because it not only shows the reasons for union in striking language, but is a precedent for existing Legislatures being considered able to deal with a question of this sort without any further appeal to the people. In the letter, Queen Anne said—

> "An entire union will be the solid foundation of a lasting peace between you. It will remove animosities, jealousies, and differences amongst yourselves; it must increase your strength, your riches, and your trade. By this union the whole country, being joined in affection as well as resources, and free from all apprehensions of different interests, will be able to resist all its enemies. We earnestly recommend unanimity in this weighty affair, that the union may be brought to a happy conclusion. It will be the only effectual way to secure our present and future happiness, to disappoint the designs of your enemies, who will certainly use all their efforts to prevent or delay your union."

This extract is taken from the *Federalist*, where it is quoted by the eminent statesman who wrote that work as expressing their own views respecting the necessity of a closer union between the American States.

In conclusion, I will say that I believe and think that it is a great and grave undertaking that we are engaged in this evening. It is no less than liberating to its natural destinies of self-reliance and innate growth and expansion a large portion of the largest pastured quarter of this earth. When we remember with what rapid strides, and in how short a time, America has taken a great place among the Powers of the world, and that its vast extent and gigantic features are not yet animated by not one-hundredth part of the life which will soon replenish them, it is a serious occupation to be engaged in even having a share in the disposal of its future destinies. A large portion of this Continent is already in full vigour, and might have been so in connection with ourselves but for our own folly. I believe, however, that at heart the American people are still attached to us as brothers, though they are disposed to quarrel, as brothers often are. The rest of this large Continent, still British, is now asking us to assist them to develop their own strength and resources in retained connection and in partnership of allegiance to one common Sovereign; and confident that this House will willingly contribute its sanction to the measure now introduced in order to carry out so great a purpose, I move the second reading of this Bill, which presents for our acceptance their own proposition.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Adderley.*)

MR. CARDWELL: Sir, I rise with the greatest satisfaction to support the Motion of my right hon. Friend. I have the greatest pleasure in congratulating the noble Earl now at the head of the Colonial Office and my right hon. Friend in having the honour of submitting this most satisfactory measure to the British Parliament. My right hon. Friend in his opening speech stated, what was most true, that there was no occasion during which I had the honour to hold office, when I submitted to the House any measure dealing with subjects to the consideration of which he had devoted so large a portion of his time, that he was not forward in expressing his cordial concurrence, and rendering to those who were his political opponents all the assistance in his power. I therefore rejoice to see in his hands a measure which is calculated not only to be of the greatest benefit to those whose interests are more immediately involved, but which also will prove an era in the history of the government of dependencies by a great Imperial and metropolitan country. The right hon. Gentleman has so well stated both the provisions of the measure and the arguments by which they are to be supported, and I believe the House has so unmistakably signified its concurrence in the remarks he has made, that it would only be an unpardonable waste of time were I to meet by anticipation arguments which I do not believe will be raised. I only wish, therefore, to make a few remarks in illustration and support of the arguments of my right hon. Friend. It requires, indeed, no argument to justify the intended union of these colonies. Look at the map which displays their geographical position—look at the great inland seas of Canada, and the fertile plains which border them;—look also upon the fertile plains of the United States of America that are so close to them, and to that noble river which, by the aid of mechanical science, affords opportunities to carry the produce of the Western Provinces to the sea. This alone is sufficient to show what great advantages must necessarily be derived from an union between the inland and the Maritime Provinces. Look at the shipping and timber trade of New Brunswick, the mineral wealth and commercial enterprize of Nova Scotia, and the noble harbour of Halifax, and let me ask you, Is it possible to believe that it was the intention of nature and Providence that all these great sources of wealth and power should be separate? And as they are physically conterminous, so they are morally united in the firmest and deepest attachment to the Crown of England and her institutions. This remark applies not only to those who have sprung from our own loins, and who speak our language, but also to that other people resident in Lower Canada, which is to be called in future the Province of Quebec. They yield to no other British subjects in their loyalty and attachment to the throne and to the institutions under which they live. Well, then, if you have the unanimous request of these Provinces, if you have their earnest wish and desire that these bounteous intentions of Providence should be realized, what objection can there be against it? I am, at least, certain that the House of Commons will not seek to prevent so laudable a desire from being gratified. What, let me ask you, is the country you are about to constitute if you agree to this Bill? It is a country—and here I am speaking solely of the three Provinces embraced in the measure—of nearly 400,000 square miles and 3,750,000 of inhabitants. But in speaking of it prospectively, I am not disposed to exclude the two Provinces which are not comprehended in the Bill. When I think of Newfoundland and Prince Edward's Island, and their objection to join in this arrangement, I am reminded of some of those towns which, when railways were first introduced, petitioned that they should be excluded from the benefits of railway legislation. *Optantibus ipsis Dî faciles.* Parliament acceded to their request, and what has been the result? Why, some of them have been "out in the cold" ever since, vainly endeavouring to place themselves in the position which they had improvidently lost. That last observation, however, does not apply to Newfoundland or Prince Edward's Island, the door being left open to them to join this federation at any time, and I rejoice to see in the papers that my right hon. Friend has laid upon the table that the expression of feeling in this country and the arguments employed will, probably, not be without result. If, then, I speak of these five Provinces, what a country you are going to establish—a country greater in extent than France and Spain united—a country which at the present moment has 4,000,000 of inhabitants, but which it is reasonably calculated, according to the ordinary rate of computation, at the end of the present century will include 12,000,000 of people—a country which, in the strength of its commercial marine, will be inferior only to Great Britain and to the United States of America, with a population superior to many of the most flourishing kingdoms of Europe. My right hon. Friend, speaking of the policy of establishing this great organization, said truly, Does it require any argument to show where will be the field for enlightened public spirit—where will be the field for honourable ambition—where is it likely that the highest intellects will be devoted to the public service—where will be shown the greatest amount of public spirit in the discharge of public duties? Will it be in a great community like this which the Bill under discussion will constitute, or in small and scattered communities like those which desire to continue no longer in their inferior and isolated condition, but wish to enter this great Confederacy? Consider the nature of the duties which these Provincial statesmen are called upon to discharge. During the time I had the honour of holding the seals of the Colonial Office duties of no merely Provincial or ordinary character were necessarily discharged by Canada. At the time when the St. Albans raid attracted so much attention and alarm in this country, what were the duties discharged by the Government of Canada and the Governor General—to whom my right hon. Friend has paid so just a tribute? The highest Executive duty was discharged by the Government of Canada when it called forth its own army to guard its own frontier. The highest judicial duties were discharged when, under your statute, they were constituted interpreters of the treaty for the extradition of offenders subsisting between you and the United States of America. The highest legislative duties were discharged when, in compliance with the suggestion of the British Crown, they passed an Act to render such raids impossible for the future. I ask you, then, if you have the statesmen of these countries necessarily discharging the highest Executive, legislative, and judicial functions, is it desirable that men exercising these duties should be the representatives of 4,000,000 of people, and should be animated by the public spirit of these

4,000,000, or that they should exercise them as the representatives of small communities such as Prince Edward's Island will continue to be, if it remains excluded from the provisions of this Bill? Again, let us consider the bearing of this measure upon the diplomatic relations of this country. Look at the disadvantages which were incurred when we were endeavouring at Washington to negotiate the renewal of the Reciprocity Treaty. The fiscal portions of the treaty, if we had succeeded, must have been submitted to five Parliaments before it could have received the Royal Assent. Is it desirable, that when the populations of these Provinces, through the representative of the Queen, negotiate treaties with foreign Powers, the adoption of these treaties should be ratified by the Parliament of one great community, or should be subject to the criticisms, and, perhaps, the local interests of five Parliaments of five different communities? Then, again, with regard to the complicated question which arose in the spring of last year between this country and the United States of America on the subject of the fisheries. These fisheries were regulated by the municipal laws of different colonies. When we had to deal with this, was it desirable in the negotiations between this country and the United States of America upon a matter of that vital importance—was it desirable that we should be required to go to several Parliaments in order to get these laws altered? Sir, no practical difficulty, I am happy to say, arose in the case; but I think all those things I have referred to are proofs of the great advantages that will accrue, both to the colonies and to the mother country, by such a scheme of consolidation as that which is proposed in the present Bill. Look, again, to the important matter of defence. My right hon. Friend has referred to the despatches which I addressed to the colonies, pointing out, that while the mother country makes the defence of the colonies a matter of Imperial concern, she still calls upon them to discharge the first duties of citizenship, to be the main agents of their own defence, and to protect their own shores. But if the colonists are thus to be the principal agents in their own defence, is it not obvious that they will be best able to discharge this duty when they are united under one government? Why is one policy to be established for Italy and Germany, and another for the Provinces of British North America? Is union to be the general law, and yet not be the law for British North America? Is it not the law over the whole world that union is strength? Is it, therefore, not perfectly obvious that the country, which by this Bill you are to create, will be as powerful for defensive purposes as if you reject it the colonists will be powerless? Time was when it was the policy of this country to exercise a strong Imperial control over her colonies. If that policy continued, it would be unwise to pass this Bill; *divide et impera* would be the maxim of a country which wished to rule its colonies from home; but that policy has now passed away, and the sole object of our Colonial Government now is to have the satisfaction, pride, and pleasure of witnessing the growth, under the Crown of England—under the flag of England — of great and powerful communities attached to the mother country by no other ties than those of love and affection and a reciprocal regard, which will prove a source of strength in the hour of danger. For all these reasons I cordially support the proposal of my right hon. Friend. I admit that there is a provision not in the Bill which I should have been glad to have seen there—namely, the overriding and controlling power on the part of the Central Legislature which was given in the New Zealand Act. But I think the noble Earl at the head of the Colonial Office and my right hon. Friend are perfectly right in not pressing the question more at the present moment. It is, as he justly said, not our arrangement, but theirs. It has been made by men of great ability, patience, and temper, and they have done it with a perfect knowledge of the circumstances with which they had to deal. Even we, who do not know and cannot appreciate all these difficulties, can yet see many reasons why, on the first creation of this Confederation, it might have been impossible to have given that power. In the first place, the intercolonial railway is not completed; and though in a few years these Provinces will be physically united, still a little time must elapse before the union proposed by the Bill can be entirely accomplished and consolidated. Another reason is that it is necessary that for municipal and local purposes there should be large powers of legislation in the Provinces there. They will, I hope, gradually approach more nearly to the character of municipal institutions than the Bill at present contemplates. But even then they must continue to be more than mere municipal councils. They must discharge for the several Provinces much of that private business which is here discharged by Parliament at so much cost to the suitors and so much inconvenience to ourselves. Therefore it is well that these wise men have left it to a future time, when experience will enable them to determine how far these legislative bodies may continue to retain their inherent powers, and how far they can be reduced to the level of municipal institutions. As the matter now stands, the Bill gives to the Governor General an actual veto over every measure passed by the local Legislatures, and it allows the local Legislatures only to deal with those questions which are supposed to be matters of local concern. There is also provision in the Bill that a certain sum of money shall be allowed from the central Government to each of the Provinces for the maintenance of its institutions. If the sum be exceeded the Provinces must provide the difference by direct taxation upon its inhabitants; and if it does not equal the amount it may carry the balance to its own account for local purposes. That will be a strong inducement to the Provinces to reduce their local institutions to a moderate level. I do hope that for the reasons I have stated the House will give the Bill its cordial assent. I cannot be surprised if, in a great undertaking like this, we make a tentative arrangement which hereafter may be susceptible of such improvements as experience may suggest. The subject is one in which I take so deep an interest, and its details are so familiar to me, that I might trespass on the attention of the House, but I will not now further enlarge on the subject. My right hon. Friend has stated the particulars of the measure. I congratulate him on being the instrument of proposing a measure like this to the British Parliament; I cheerfully join him in supporting it, as I have, while in office, cordially assisted in promoting it; but the main honour is due to those who have laboured, with great patience, temper, and sagacity to bring about a plan which they believed calculated to strengthen the colonies in time of war and increase their prosperity in time of peace, and who have adopted that course, not as a preliminary to a future separation from this country, but under the influence of a loyalty to the British Crown and an attachment to British institutions which cannot be surpassed even in the assembly that is about to ratify their acts.

Mr. AYTOUN protested against this measure being pressed forward with such unprecedented and inconvenient haste. It had been introduced into the House of Commons only on Tuesday last, and only been placed in the hands of Members that morning; and the fact that it had been discussed in "another place" and in the newspapers was no reason why the House should be asked to proceed to a second reading without the usual notice. It might be, as had been said, that the Bill would prove very beneficial to the colonial interests—of that he could not speak—but many hon. Members were under the impression that its provisions concerned only colonial interests; but so far was this from being the case, that the 118th section would most materially affect the interests of the people of this country. That clause provided that it should be the duty of the Canadian and other local Parliaments to construct a railway from Halifax to Quebec; and if the House assented to that provision they would be bound in honour to give the Imperial guarantee to the loan which was to be raised for the purpose, upon the promise of which it was that the delegates from the colonies had undertaken the construction of this line. Now from what he had heard of the prospects of the line unless this clause was struck out, this country would have to pay the guarantee. The railway itself would be useless for military purposes, because it would pass through a strip of territory which was exposed to a flank attack, and it might at any moment be cut by the Americans, and as a commercial speculation it would, in his opinion, result in failure. Some years ago a friend of his, who was in favour of the line, admitted that its earnings would never pay for the grease of the carriage wheels. He should be glad to see the colonies united; but he should feel bound at a future stage to move the omission of the 118th clause, the retention of which would in nowise affect the general character of the measure.

Mr. BRIGHT: Although this measure has not excited much interest in the House or in the country, yet it appears to me to be of such very great importance that it should be treated rather differently, or that the House should be treated rather differently in respect to it. I have never before known of any great measure affecting any large portion of the Empire or its population, which has been brought in and attempted to be hurried through Parliament in the manner in which this Bill is being dealt with. But the importance of it is much greater to the inhabitants of those Provinces than it is to us: but it is not on that account that we should be expected to examine it less closely, and see that we commit no errors in passing it. The right hon. Gentleman (Mr. Adderley) has not offered us, on one point, an explanation which I think he will be bound to make. This Bill does not include the whole of the British North American Provinces; I presume the two left out have been left out because it is quite clear they do not wish to come in.

MR. ADDERLEY: I am glad I can inform the hon. Gentleman that they are, one of them at least, on the point of coming in.

MR. BRIGHT: Yes; the reason of their being left out is because they were not willing to come in. They may hereafter become willing, and if so the Bill will admit them by a provision which appears reasonable. But the Province of Nova Scotia is also unwilling to come in, and it is assumed that because some time ago the Legislature of that Province voted a Resolution partly in favour of some such course, therefore the population is in favour of it. For my part, I do not believe in the propriety or wisdom of the Legislature voting on a great question of this nature with reference to the Legislature of Nova Scotia, if the people of Nova Scotia never have had the question directly put to them. I have heard there is at present in London a petition complaining of the hasty proceeding of Parliament and asking for delay, signed by 31,000 adult males of the Province of Nova Scotia, and that that petition is in reality signed by at least half of all the male inhabitants of that Province. So far as I know, the petition does not protest absolutely against union, but against the manner in which it is being carried out by this scheme and Bill, and by the hasty measures of the Colonial Office. Now, whether the scheme be a good or a bad one, scarcely anything can be more foolish, looking to the future, than that any of the Provinces should be dragged into it, either perforce, by the pressure of the Colonial Office, or by any hasty action on the part of Parliament, in the hope of producing a result which Probably the populations of those Provinces may not wish to see brought about. I understand that the General Election for the Legislature of Nova Scotia, according to the Constitution of that colony, is inevitable in the month of May or June next; that this question has never been fairly placed before the people of that Province at an election, and that it has never been discussed and decided by the public; and seeing that only three months or not so much will elapse before there will be an opportunity of ascertaining the opinions of the population of Nova Scotia, I think it is at least a hazardous proceeding to pass this Bill through Parliament, binding Nova Scotia, until the clear opinion of that Province has been ascertained. If, at a time like this, when you are proposing a union which we all hope is to last for ever, you create a little sore it will in all probability become a great sore in a short time, and it may be that the intentions of Parliament may be almost entirely frustrated by the haste with which this measure is being pushed forward. The right hon. Gentleman the Chancellor of the Exchequer, I think, in the early part of the evening, in answer to a question from this side, spoke of this matter as one of extreme urgency. Well, I cannot discover any urgency in the matter at all. What is urgent is this—that when done it ought to be done wisely, and with the full and free consent of all those populations who are to be bound by this Act and interested in its results. Unless the good-will of those populations is secured, in all probability the Act itself will be a misfortune rather than a blessing to the Provinces to which it refers. The right hon. Gentleman amused me in one part of his speech. He spoke of "the filial piety"—rather a curious term—of these Provinces, and their great anxiety to make everything suit the ideas of this country; and this was said particularly with reference to the proposition for a Senate selected, not elected, for life by the Governor General of Canada. He said they were extremely anxious to follow, as far as possible, the institutions of the mother country. Well, I have not the smallest objection to any people on the face of the earth following our institutions if they like them. Institutions which suit one country, as we all know, are not very likely to suit every other country. With regard to this particular case, the right hon. Gentleman said it is to be observed that Canada had had a nominated Council, and had changed it for an elected one, and surely they had a right, if they pleased, to go back from an elected Council to a nominated Council. Well, nobody denies that; but nobody pretends that the people of Canada prefer a nominated Council to an elected Council. And all the wisdom of the wise men to whom the right hon. Gentleman the Member for Oxford (Mr. Cardwell) has referred in such glowing terms, unless the experience of present and past times goes for nothing, is but folly if they have come to the conclusion that a nominated Council on that Continent must be better than an elected Council. Still, if they wish it, I should not interfere and try to prevent it. But I venture to say that the clause enabling the Governor General and his Cabinet to put seventy men in that Council for life, inserts into the whole scheme the germ of a malady which will spread, and which before very long will require an alteration of this Act and of the constitution of this new Confederation. But the right hon. Gentleman went on to say that with regard to the Representative Assembly—which, I suppose, is to be called according to his phrase the House of Commons—they have adopted a very different plan. There they did not follow the example of this country. They established their House of Representatives directly upon the basis of population. They adopted the system which prevails in the United States, by which upon every ten years' summing up of the census in that country the number of Members may be changed, and is by law changed, in the different States and districts as the rate of population may have changed. Therefore, in that respect his friends in Canada have not adopted the principle which prevails in this country, but that which prevails in the United States. Well, I believe they have done that which was right, and which they had a right to do, and which was inevitable there. I regret very much that they have not adopted another system with regard to their Council or Senate, because I am satisfied—I have not a particle of doubt with regard to it—that we run a great danger of making this Act work ill almost from the beginning. They have the example of thirty-six States in the United States, in which the Senate is elected, and no man, however sanguine, can hope that seventy-two stereotyped provincial Peers in Canada will correspond and work harmoniously with a body elected upon a system so wide and so general as that which prevails in the States of the American Union. There is one point about which the right hon. Gentleman said nothing, and which I think is so very important that the right hon. Member for Oxford, his predecessor in office, might have told us something about it. We know that Canada is a great country, and we know that the population is, or very soon will be, something like 4,000,000, and we may hope that, united under one Government, the Province may be more capable of defence. But what is intended with regard to the question of defence? Is this new State—or this new nation, as I think Lord Monck described it—to be raised up under the authority of an Act of Parliament—is everything to be done for it? Is it intended to garrison its fortresses by English troops? At the present moment there are, I believe, in the Province 12,000 or 15,000 men. There are persons in this country, and there are some also in the North American Provinces, who are ill-natured enough to say that not a little of the loyalty that is said to prevail in Canada has its price. I think it is natural and reasonable to hope that there is in that country a very strong attachment to this country. But if they are to be constantly applying to us for guarantees for railways and for fortresses, and for works of defence; if everything is to be given to a nation independent in everything except Lord Monck and his successors, and except in the contributions we make for these public objects, then I think it would be far better for them and for us—cheaper for us and less demoralizing for them—that they should become an independent State—and maintain their own fortresses, fight their own cause, and build up their own future without relying upon us. And when we know, as everybody knows, that the population of Canada, family for family, is in a much better position as regards the comforts of home than family for family are in the great bulk of the population of this country—I say the time has come when it ought to be clearly understood that the taxes of England are no longer to go across the ocean to defray expenses of any kind within the Confederation which is about to be formed. The right hon. Genleman the Under Secretary for the Colonies has never been an advocate for great expenditure in the colonies by the mother country. On the contrary, he has been one of the Members of this House who have distinguished themselves by what I will call an honest system to the mother country, and what I believe is a wise system to the colonies. But I think that when a measure of this kind is being passed, having such stupendous results upon the condition and the future population of these great colonies, we have a right to ask that there should be some consideration for the revenue and for the taxpayers of this country. In discussing this Bill with the delegates from the Provinces, I think it was the duty of the Colonial Secretary to have gone fairly into this question, and, if possible, to have arranged it to the advantage of the colony and the mother country. I believe there is no delusion greater than this —that there is any party in the United States that wishes to commit any aggression upon Canada, or to annex Canada by force to the United States. There is not a part of the world, in my opinion, that runs less risk of aggression than Canada, except with regard to that foolish and impotent attempt of certain discontented not-long-ago subjects of the Queen, who have left this country. America has no idea of anything of the kind. No American statesman, no American political party, ever dreamt for a moment of an aggression upon Canada, or of annexing Canada by force. And therefore, every farthing that you spend on your fortresses, and all that you do with the idea of shutting out American aggression, is money squandered through an hallucination which we ought to get rid of. I have not risen for the purpose of objecting to the second reading of this Bill. Under the circumstances, I presume it is well that we should do no other than read it a second time. But I think the Government ought to have given a little more time. I think they have not treated the Province of Nova Scotia with that tenderness, that generosity, and that consideration which is desirable when you are about to make so great a change in its affairs and in its future. For my share, I want the population of these Provinces to do that which they believe to be the best for their own interests—remain with this country if they like, in the most friendly manner, or become independent States if they like. If they should prefer to unite themselves with the United States, I should not complain even of that. But whatever be their course, there is no man in this House or in those Provinces who has a more sincere wish for their greatness and their welfare than I have, who have taken the liberty thus to criticize this Bill.

SIR JOHN PAKINGTON: I have seldom heard an observation in the House with greater regret than that of the hon. Member for Birmingham when he said, a few moments ago, that he thought the loyalty of Canada has its price. [MR. BRIGHT: I did not state that as my opinion.] I do not know whether the hon. Member stated it as his opinion; but certainly he stated it in such a way as to leave a very painful impression on the minds of the House; and I am sure that in the colonies a most painful impression would be created if it went forth that the House of Commons for a moment believed the loyalty of Canada has its price. Sir, we have not forgotten the events in which the loyalty of Canada was strikingly displayed. We have not forgotten the way in which, at the time of the Crimean War, the Patriotic Fund was swollen by contributions from the colonies, and on that occasion no colonies were more conspicuous than the North American Provinces. We have not forgotten the spirit with which the colony of Canada raised a regiment at a time when it was supposed that additional troops might be required. The Canadians, on those and other occasions, have acted with a most honourable and loyal spirit; and therefore, in the face of such facts, I regret the hon. Gentleman has used an expression which, whatever may have been his intention, is so obviously liable to be misunderstood. I may further observe that I believe, if any one feeling has been stronger than another with Canada in taking the part she has done in obtaining this Bill, it is a feeling of attachment and loyalty to the mother country. I do not collect from the speech of the hon. Gentleman that he is opposed to this Bill—on the contrary, I think he concluded his speech by saying he would not oppose the second reading; but the hon. Gentleman throughout his argument seemed to be contending for delay. He appeared to think that this was not the moment when this Bill ought to be put forward. Now, it seems to me that if ever there was a favourable conjuncture of affairs for bringing about a union of the North American Provinces, it is at the present moment. I cannot see that in his views concerning Nova Scotia the hon. Member for Birmingham is borne out by the facts. The best way of collecting the opinions of the Province on a question of this kind is, I should say, through the acts of its Legislature—through the proceedings of its representative body; and the hon. Gentleman is the last person from whom I should have expected an objection to our ascertaining the opinion of the Province from the sentiments of its representative body. [Mr. Bright: It has not been elected on this question.] But the hon. Gentleman must recollect that this union of the North American Provinces has been the subject of discussion and of proceedings in the different colonies for a long time. The union of Nova Scotia with the other Provinces has been discussed on several different occasions. In 1862, I think, debates took place on this question, and the Representative Assembly was called on to express its opinion. It did so by deciding in favour of a union of the Provinces. In 1863 a General Election took place, and again in 1864, after that General Election, we find the representative body still favourable to the union. These are facts which, in my opinion, at once destroy the argument of the hon. Gentleman. I know that there has been opposition in Nova Scotia. Mr. Howe, a gentleman well known in the colony, is opposed to the union, and the hon. Member for Birmingham is to-night the exponent of Mr. Howe's views. But I would remind the hon. Member that the views on the subject entertained by Mr. Howe a short time ago were the very opposite to those held by him now. No man in Nova Scotia was a more prominent advocate of the union than Mr. Howe, though he opposes it now. The hon. Member for Birmingham proceeded to argue that as two of the Provinces are not included in the Bill, it must be presumed that they are opposed to the union. I believe, however, the facts to be this — that one of those Provinces is negotiating for an entry into the union, and that the other is prepared to do so at the earliest opportunity. It appears to me that the hon. Member's appeal for delay is grounded on an entirely erroneous argument, and that he has not approached it with that frankness and candour which characterized the views of the right hon. Gentleman the Member for Oxford. We must not forget that, with great judgment, the Provinces selected statesmen of opposite political parties to represent them as their delegates in this matter. Such delegates may be regarded as men who fairly represent the opinion of the Provinces; and, under such circumstances, I trust this Bill will receive the unanimous approval of the House.

Mr. WATKIN said, he fully concurred in the statement of the right hon. Gentleman (Sir John Pakington), that the House of Representatives and the Senate of Nova Scotia had approved the scheme of Confederation. The Representative Body approved it in 1861, not 1862, as the right hon. Gentleman the First Lord of the Admiralty had stated. There was a General Election in 1863, and the Prime Minister (Mr. Tupper) went through the country preaching this Confederation of the Provinces. It was brought under the notice of the electors at every polling-booth, and at every hustings the issue was distinctly raised. Well, after that General Election, the plan of the Government was sustained by an enormous majority in the House of Representatives, and delegates were sent to the Conference to carry out the plan. If there was any question on which the British North American Provinces not only had enjoyed an opportunity of expressing, but had actually expressed opinion, it was on this very question of Confederation. Mention having being made of the name of Mr. Howe, whose acquaintance he had the honour of possessing, he might state his own conviction that a man of purer patriotism, or one who had rendered more able and distinguished service to the Crown of this country did not exist. He remembered the speech delivered by Mr. Howe some years ago at Detroit, on the question of whether the Reciprocity Treaty should be continued or not, and he believed it was in no small degree owing to that remarkable speech — one of the most eloquent ever heard — that the unanimous verdict in favour of continuing the treaty had been arrived at. It was matter of surprise and regret to him that the valuable and life-long services of Mr. Howe had not received any recognition at the hands of either the late or the present Government. The hon. Member for Birmingham seemed dissatisfied with the phrase used by Lord Monck respecting the establishment of a new nation. Now he (Mr. Watkin) supported the Confederation, not because it was the establishment of a new nation, but as the confirmation of an existing nation. It meant this, that the people of the Confederated colonies were to remain under the British Crown—or it meant nothing. He joined issue with those who said, "Let the colonies stand by themselves." He dissented from the view that they were to separate from the control of the British Crown the territory of this enormous Confederation. But there was a vast tract beyond Canada, extending to the Pacific, and the House should bear in mind that more than half of North America was under British dominion. Did the hon. Member (Mr. Bright) think that it was best for civilization and for public liberty that this half of the Continent should be annexed to the United States? If that were the opinion of the hon. Gentleman he did not think it was the opinion of that House. Every man of common sense knew that these territories could not stand by themselves; they must either be British or American—under the Crown or under the Stars and Stripes. The hon. Member for Birmingham might think that we should be the better of losing all territorial connection with Canada; but he could not agree with that doctrine. Extent and variety were amongst the elements of Imperial greatness. Descending to the lowest and most material view of the subject, he did not believe that, as a mere money question, the separation would be for our interest. Take, again, the question of defence. Our North American possessions had a coast line of 1,000 miles on the east, and 800 on the west, and possessed some of the finest harbours on the Continent, and a Mercantile Marine entitling it to the third rank among maritime nations. The moment these advantages passed into the hands of the United States that country would become the greatest naval Power in the world. In preserving commercial relations with the United States, the Canadian frontier line of 3,000 miles was likewise extremely useful. As long as British power and enterprize extended along one side of this boundary line, and as long as the tariff of extremely light duties was kept up by us, and that imposed only for the purposes of revenue, it would be impossible for the United States to pursue what might be called a Japanese policy. If England, therefore, desired to maintain her trade, even apart from other considerations, it was desirable for her to maintain her North American possessions. They had lately had to pass through a cotton famine, and they had been taught the inconvenience of the prohibition of the export of cotton by the American Government. Now a large proportion of the corn imported into this country was brought from America, and in what state would England find herself if all the food exports of North America were placed under the control of the Government at Washington? If the frontier line became the sea-coast, what might be looked for then? Scarcely three years had elapsed since Mr. Cobden declared that if there had not been a plentiful harvest in America he did not know where food could have been procured for the people of this country. Now, the corn-growing fields of Upper Canada alone ranked fifth in point of productiveness. Did England not wish to preserve this vast storehouse? Suppose that Canada belonged to America, in the event of a quarrel with England there was nothing to prevent the United States from declaring that not an ounce of food should leave its territories, which would then extend from the Arctic regions to the Gulf of Mexico. He had hoped that upon this Bill, not only both sides of the House, but every section of the House might have been found in unison. It was no use blinking the question. This would not be a decision affecting Canada merely. We had sympathies alike with Australia and the other colonies. If it were seriously proposed that England should denude herself of her possessions, give up India, Australia, North America, and retire strictly within the confines of her own islands, to make herself happy there, the same result might be brought about much more easily by those who wished it. They might become citizens of some small country like Holland, and realize their ideas of happiness in a moment. But he hesitated to believe that the people of England did really favour any such policy. If any one were to hoist the motto, "Severance of the colonies from the Crown" he did not believe that 1 per cent of the people would adopt it. He believed that the people of England felt a deep attachment to their Empire, and that not even a barren rock, over which the flag of England had once waved, would be abandoned by them without a cogent and sufficient reason. Every argument used in support of the necessity of giving up the Provinces, which lay within eight days of our own shores, would apply with equal force in the case of Ireland, if the people of the United States chose to demand possession. Was this country prepared to give up Gibraltar, Malta, Heligoland, all its outlaying stations merely because some strong Power took a fancy to them? He did not believe that the people of England would ever act in such a spirit. As to the argument of expense, if Canada chose to pick a quarrel on her own account, clearly she ought to pay the bill; but if she were involved in war on Imperial considerations, then he maintained that the Imperial revenues might properly be resorted to. The British Empire was one and indivisible, or it was nothing. And what was the principle upon which the United States acted? If any portion of the territory of the Union was touched, were there one of its citizens who would not be ready and forward to defend it? Should we then be less determined to maintain intact the greatness and the glory of the British Empire? He, for one, would not give up the opinion that Englishmen were prepared to maintain, in its integrity, the greatness and glory of the Empire; and that such a feeling would find a hearty response in that House.

Mr. BAILLIE COCHRANE said, he did not regret that the hon. Member for Birmingham (Mr. Bright) had made the speech they had heard that night, as it had elicited so conclusive a reply from the hon. Gentleman who had just sat down, and because they had at last arrived at what the real opinions of the hon. Gentleman the Member for Birmingham were. The hon. Member had, in the first instance, cast doubts upon the loyalty of the people of Canada; and, having done so, he concluded his speech by an expression of opinion that we ought to sacrifice our colonies, and said that England would be as well without them. The hon. Gentleman had alluded to the defences of Canada. Now, if there was one thing more honourable than another to the Canadians, and to those who now represented Canada in this country, it was the fact that the only danger Canada ran of a collision with the United States must invariably arise from Imperial questions. The *Trent* difficulty, the Enlistment question, and the dispute about the Oregon territory, were all Imperial questions, and were therefore questions upon which this country was bound to step forward to the protection of Canada. To what, in a great degree, was our greatness owing? It was our manufactures that had made us the greatest country in the world—the conquerors of the conqueror:—and to what was the growth of our manufactures so much due as to our colonies? ["No, no!"] Did the House suppose that England would ever have been so powerful on the seas, had it not been for our colonies? He thought that the noble Lord at the head of the Colonial Office, his right hon. Friend who had introduced the measure, and also the late Government, were entitled to great credit for the ability, assiduity, and care with which they had promoted a measure which was calculated to be so beneficial, not only to the colonies, but to the mother country. He would concur in expressing his congratulation on the admirable judgment displayed by the colonists themselves in this matter. The hon. Gentleman the Member for Birmingham had stated that the majority of the people of Nova Scotia were opposed to this Confederation; but he (Mr. B. Cochrane) doubted whether that was ever their feeling.

Mr. BRIGHT: What I said was, that there was a petition in London from 31,000 of the people of Nova Scotia, and that that number amounted to one-half of the adult males of that colony.

Mr. BAILLIE COCHRANE: If the hon. Gentleman would refer to the papers he would find that the sentiments of those colonists had very much changed. He had seen it stated that the Governor of Maine had expressed his disapprobation of this scheme of Confederation; and he believed that that expression of opinion by the Governor of Maine had had a very great effect in opening the eyes of the people of Nova Scotia, and had made it appear to them that this Confederation would be beneficial to the colony. There were one or two points, connected with this Bill, which he thought were open to some discussion. He understood from his right hon. Friend, or rather from the noble Earl at the head of the Colonial Office, that, as the Bill was a kind of compact between the colonies, the House could not alter it at all; for, if they touched any part of it, the alteration would affect the whole of the measure. Now he (Mr. B. Cochrane) did not see how that could be: and he would remind his right hon. Friend that there were parts of the Bill which were not quite clear. He would ask, whether the Governor General would be appointed for life? ["No!"] The Bill did not state for what period the Governor General would hold his office, and he would suggest that a constant change would be a very great disadvantage to the colony. Another important point was this —it appeared that the Lieutenant Governors were to be appointed by the Governor General. He regretted that very much; because they all knew how important it was that the Lieutenant Governors should be persons of position and distinction. It would have been better if there had been a provision that the Lieutenant Governors should be appointed by the Crown. He must say upon this occasion, when such an arrangement as proposed by the Bill was about to be carried out, they ought not to lose sight of the fact that the tariff imposed by Canada had been excessively high. The *ad valorem* duty upon imports from this country to Canada was, some time ago, 25 per cent; while New Brunswick imposed only 12½ per cent upon her imports. It was true that Canada had reduced the *ad valorem* duty to 15 per cent upon her imports; but he thought the people of this country might fairly claim that when they were giving to Canada almost perfect independence—with the exception of the appointment of the Governor General—and paying a large expense for troops and other things in the defence of the colony, and guaranteeing the construction of railways, the *ad valorem* duty upon goods from this country should not be excessive. He threw out these considerations, although he feared, from what had been said, that they could not make any alterations in the Bill. He thought that, upon the whole, they might congratulate themselves upon the heartiness with which these four colonies had entered into this arrangement. As to Prince Edward's Island and Newfoundland, they occupied quite a different position. It was true that Prince Edward's Island was near to Nova Scotia; but Newfoundland was at a great distance from that colony, and there was a very small connecting link between them and the Confederating colonies. But their joining the Confederation was not a question of immediate interest. What was of interest was this—that when persons had been going about the country, trying to make Englishmen believe that England would be as great a country without her colonies as with them, they found that the colonists themselves had, by joining in this great Confederation, entered their protest against doctrines which, if carried out, would not only be injurious to the material interests of the country, but be destructive of the greatness of this Empire in the counsels of Europe.

MR. CHICHESTER FORTESCUE said, that as it had been his fortune for some years to take an official and personal interest in colonial affairs, he was unwilling to allow this great measure, upon the successful introduction of which he congratulated his right hon. Friend opposite, to pass without remark. The occasion was one for congratulation both to our fellow-subjects in North America and ourselves. The people of Canada, a name rightly retained for the Confederation, would continue to enjoy all the rights and privileges of British citizenship, and would also become members of a great community with larger opportunities for social and political distinction and a promise of more rapid growth in wealth and strength. On the other hand, he thought, too, this measure was matter for congratulation for ourselves, not only because we were by this great measure giving effect to the wishes and promoting the happiness of our fellow-subjects in North America, but because we were now enabling them to perform much more effectually than heretofore the duties they owed towards the great Empire of which they continued to form a part. This great change would make no change in the relations between the mother country and her great dependencies. The duties which devolved upon her now would rest with her still, and those duties might possibly, though he hoped not probably, become most difficult and dangerous; they were duties, nevertheless, from which she had no right to shrink; at the same time, this measure would fit the colonists, by a rapid development of resources and of public spirit, for taking their rightful share in the performance of these duties. One point required to be carefully watched—he referred to our military expenditure in North America. The accounts procured, some eight or ten years back, by the Committee upon Military Defences in our Colonies, showed that while our military expenditure was decreasing in places like the Cape and New Zealand it had very largely increased in North America. Mr. Merivale, a most competent authority, reckoned that in 1858 our military expenditure in colonies to which we sent troops, not as a protection against Native tribes, but against possible external attack (these being, almost exclusively, our North American colonies), amounted to £400,000 a year, whereas the Estimate for the present year for British North America alone amounted to £950,000. No doubt this large expenditure was due to exceptional causes, such as the circumstances which had arisen in the neighbouring States, and the curse of that Fenianism which the Canadians had so effectually silenced within their own borders, and so gallantly repelled from without. They might hope that these exceptional causes would pass away; but it was of importance to remember that we were now placing our colonists in a position to play their part in the defence of their own territory more effectually than they had hitherto done. He trusted and believed that to-night would be the birth of a large British community in North America, which they might hope, whether in union with this country or at any distant day separate from it, would continue in their prosperous career in cordial friendship not only with the mother country but with the great neighbouring people of the same race as themselves; and they might also hope that Canada in her prosperous history would follow in the happy footsteps of the people of the United States; but that that history might not be disfigured by the follies and misfortunes which had sometimes marked the relations between the United States and Great Britain.

Mr. HADFIELD desired to know why Nova Scotia should not be left out of this Bill. The people of that colony had not approved of it; but their General Election would shortly take place, and then if they approved of the measure they could have the benefit of it. The right hon. Baronet the First Lord of the Admiralty had taunted the hon. Member for Birmingham with saying that the people of Canada had their price, and the right hon. Gentleman who spoke last had shown that Canada had cost this country this year for military expenses £950,000. He thought that a Bill of such great importance ought not to be pushed through Parliament with such haste. It was read a third time in the House of Lords only on Tuesday night, and two days after they were called to give it a second reading in that House. That was a bad precedent to establish, and might produce ill effects at another time. If the Bill had been delayed only for a few weeks the people of Nova Scotia would have been able to express an opinion upon it. He had not had time to consider either the Bill itself or the papers on the subject which had been put into his hands.

Mr. MARSH desired only to make one suggestion—he thought it would have been better that the Lieutenant Governors should be appointed directly by the Crown, and not by the Governor of the Confederation, for in that case the men appointed would be less likely to be objectionable on local grounds. As far as Nova Scotia was concerned, it would have been better to have waited a little time until they should have learnt the result of the General Election upon this particular point; and even if unwilling at first, he had no doubt the people of that Province would come into the Confederation afterwards, just as those States

of America which did not join the Union in the beginning afterwards came in. He wished to say one word as to our military expenditure in colonies. Hon. Gentlemen were not, perhaps, aware that the protection of our trade cost very much more in places which were not colonies than in those which were. For instance, our expenditure in the Mediterranean, China, Japan, and South America for the protection of our trade was enormous; while it was very light as regarded our great trade with Canada and the Australian colonies.

Motion *agreed to*.

Bill read a second time, and *committed* for *Monday* next.

DUTY ON DOGS BILL.

(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer.*)

[BILL 36.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (From and after 5th April, 1867, in England, and 24th May, 1867, in Scotland, Assessed Taxes on Dogs to cease.)

Mr. READ said, he should feel obliged if the Secretary to the Treasury would give the House some of his reasons for reducing the duty on dogs. The greyhound was a useful animal, no doubt, but he saw no reason why the duty payable for a greyhound should be reduced 75 per cent, nor why the tax upon poodles and pug dogs should be reduced from 12*s.* to 5*s.* The real difficulty experienced in collecting the dog tax in rural districts was the number of exemptions. Then, again, the proposed transfer to the Excise of the collection of the tax could not be in consequence of a desire to lessen the expense, for he believed that no taxes were collected at so cheap a rate as the assessed taxes, as the cost of collection amounted only to 3*d.* in the pound. Unless the police were employed he did not see how the Exciseman could collect this tax. In his opinion, if all exemptions from the payment of the tax were abolished, and the present machinery was kept up for the purposes of collection, the existing duty might be kept up on sporting and fancy dogs. A large increase in the revenue, and a cure for the dog nuisance, would be the result.

MR. MARSH hoped that the collection of all the assessed taxes would be transferred to the Excise; but he doubted whether 5*s.* was a sum sufficiently large to secure the collection. He trusted that his hon. Friend had considered whether under the reduced duty he would get as much money as he did at present, for if he calculated upon twelve dogs being kept in future where five were kept now, that would be a great nuisance. One could hardly have an idea as to the nuisance dogs were where there was no dog tax. In Australia he had several times endorsed petitions from the inhabitants praying that a tax might be imposed; and every one would admit that the nuisance must be very great indeed when people, in order to get rid of it, asked that they might be taxed. Then in Ireland it was universally admitted that dogs were a nuisance. The curs which abounded in that country bit children, flew at horses, killed sheep, and did all kinds of mischief. Indeed, most of the evil deeds laid to the account of the innocent fox were in reality the work of these curs.

MR. HUNT said, the Government proposed to do away with all exemptions, and to make no distinction between different kinds of dogs. His hon. Friend thought that sporting dogs should be rated higher than sheep dogs; but then the question arose, "What is a sporting dog?" Supposing a man was found walking upon another person's land accompanied by his dog, he would say, "Oh! this is a pet dog or a lap dog;" although if an inquiry were made about the dog when he was lying quietly before the fire in his master's house, the reply might be, "That is a most valuable sporting dog." Again, it would be difficult to say exactly what was a greyhound. There were sporting dogs which some people would term lurchers, though their masters, when they took them to a coursing match, would describe them as greyhounds. Thus dogs would be described differently, according to the circumstances in which their owners were placed when the character of their dogs was called in question. The Government, therefore, thought it would be better that no exemptions should be allowed, and that no distinction should be made between different classes of dogs. At present the duty was 12*s.*, and when the tax was high there would, of course, be considerable evasions, which, to a great extent, were sanctioned by public opinion. When, however, the tax was reduced to 5*s.*, he hoped public opinion would be in favour of the tax collector. As regards the transfer of the jurisdiction from the assessed tax collector to the Excise, the House was aware that under the present system a return was made one year, but the person making it did not become answerable until the year following. So that if a question were raised about the age of a dog, a difficulty was experienced, as in many instances the most clever man could hardly tell in the succeeding year whether the animal was under six months old a twelvemonth before. It was believed that the tax would be collected upon a great number of dogs which were now exempt, or which evaded the duty, and that the revenue would not suffer from the reduction. The Government found that a Bill had been prepared by their predecessors transferring the duty from the assessed taxes to the Excise, and fixing the amount at 6*s.*; but they thought this rather too high, and believed that, considering the abolition of exemptions, it might be reduced to 5*s.*

MR. ALDERMAN LUSK inquired whether an addition to the Excise staff would be required by this collection of the duty being imposed on them?

MR. HUNT said, no addition would be required. Notices would be published in every parish stating where licenses were to be procured, and the police would be required to give information of what dogs were kept.

Clause *agreed to.*

Clause 2 (Assessed Tax on Dogs kept within the year ending 5th April, 1867, in England, and 24th May, 1867, in Scotland, reduced to Seven Shillings.)

MR. ALDERMAN LUSK reminded the hon. Gentleman of the Asylum recently established in the metropolis for Destitute Dogs, and asked whether it was intended to levy the tax upon that institution, in which he was told there were about 3,000 dogs?

MR. AYRTON inquired whether the hon. Gentleman had considered the case of the dealers in dogs? It appeared to him that there ought to be an express provision to meet that case.

MR. HUNT said, the question as to charitable institutions had been raised some years ago, and a strong opinion was expressed that they should be exempted from taxation. But he was not aware that the feeling extended to the case of the canine charitable institution. He took it that if any persons became owners of dogs within the meaning of the Act, even for charitable purposes, they would be required to pay the tax. The dog-dealers would, of course, have to pay under this Bill; but as dog-dealers were at present liable for the largest number of dogs they kept in the year, he thought that they would be rather benefited in the reduction of the duty by this measure than otherwise.

Clause *agreed to.*

Clause 3 (Duties of Excise to be paid on Dogs) *agreed to.*

Clause 4 (Duties and Licenses to be under the Management of the Commissioners of Inland Revenue.)

MR. CANDLISH asked what were the powers under the Excise laws of modifying or reducing penalties? The penalty for evading the tax—£5—was too much—he would move that it be reduced to £2.

MR. HUNT said, under the General Excise Act all the Excise penalties might be reduced to one-fourth the amount stated. The penalty of £5, therefore, might be reduced to 25*s.* at the discretion of the magistrates before whom the case was heard. It frequently happened that the magistrates thought in some cases that even one-fourth was too much. Under such circumstances, it was usual for the bench to make a representation to the authorities at Somerset House for a further reduction of the penalty, and then the application might be granted.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 5 (Licences to be in such form as the Commissioners shall direct), and Clause 6 (Register of Licences to be kept) *agreed to.*

Clause 7 (Commissioners to cause Notices to be affixed on Church Doors) *agreed to.*

Clause 8 (Penalties for keeping a Dog without a Licence.)

MR. CANDLISH thought the penalty of £5 much to high, and moved that £2 should be inserted in the clause instead. He also considered the wording of the clause somewhat obscure, and would move after the word "pounds" the insertion of the words "for every dog so kept."

MR. MARSH did not think the penalty too high, particularly when it was recollected that there was £50 penalty for not putting a penny stamp to a receipt for money over £2.

MR. HUNT was of opinion that if the penalty were lowered parties would be tempted to run the risk of evading the tax. The prosecutions would be left in the hands of the Excise.

MR. ALDERMAN LUSK had every reason to believe that the difficulty in the way of the collector was to obtain the tax from the poor man.

Amendment, by leave, *withdrawn.*

Clause *agreed to.*

Clause 9 (Penalty [of £5] for not producing the Licence when demanded by the Excise Officer.)

MR. HUNT moved the addition of the words "or Police Constable" after "Officer of Excise."

MR. AYRTON said, there ought to be a provision that the Excise or the police should have the power of killing dogs for which no owner could be found. Under the Act, if a humane person fed a stray dog that was dying of starvation, he would be treated as the owner, and be liable to the duty or the penalty. The result would be that dogs would die of starvation after doing all sorts of mischief.

MR. HUNT said, it was to be hoped that persons would be indisposed to take a strange dog home and feed it, when it was known they made themselves liable to the duty. The Government in this Bill only treated the fiscal question. The subject of killing dogs for which no owner could be found might be dealt with hereafter.

MR. CHILDERS said, he approved of the Bill, not only as to its general object, but as to nearly all its details. It had been the intention of the late Government to introduce a Bill with almost identical clauses. That Bill contained a provision which this Bill did not, under which it was possible for the officers of Excise and the police to take up dogs which were not properly licensed, and either to sell or kill them under proper restrictions. When a licence was taken out it would bear a particular Excise number, and it was provided that when a dog was away from its master, unless it had a collar bearing that Excise number, it should be liable to be seized. The officers of revenue thought such a proposal reasonable, and anticipated no difficulty in working it. His hon. Friend, legislating for the subject in the cooler months of the year, had left out this provision from the Bill; but last Session during the dog-days a pressure had been brought to bear upon the late Government from all sides of the House to make some provision to meet the case of ownerless dogs. He hoped the hon. Gentleman would introduce into the Bill some clause of this nature, for if he did not he would be sure to hear something of it when the dog-days came round.

MR. ALDERMAN LUSK said, that many persons kept dogs who were not able to pay the tax, and he wished to know what was to be done with those dogs. It would be necessary to enforce the law in some way.

MR. HUNT said, it was quite true that in the Bill prepared by the late Government every dog, except a sporting dog, was required to bear a ticket, which should be a voucher that its master had paid the license duty. He did not approve of this sporting exemption, and the very fact of there being such an exemption showed that the system could not work.

MR. CHILDERS said, the provision of the Bill was not an exemption; but dogs out with their masters, or being one of a pack of hounds, were not to be required to carry a ticket.

MR. HUNT said, that when he came into office he had to look into this question as a practical man, and to say whether the owner of a dog that had lost his ticket ought to be liable to have the dog destroyed. A boy in the street might wrench it off, or two dogs might fight together, for "'tis their nature to," and one might get the other's ticket in his mouth and run off with it. The ticket, too, would involve the necessity for a collar, and that would be an additional burden for the poor man, who would have to pay for the collar as well as the duty. He could not therefore bring himself to defend the ticket system. He had had to consider the question whether, if a dog during the year were transferred from one person to another, one license should be paid between them. He thought it advisable that every person should pay the license if he kept a dog for only a portion of the year. It was the intention of his right hon. Friend the Home Secretary to consider the question of police regulations respecting dogs, and he hoped to submit to the House in the course of the Session some proposal on the subject.

MR. CHILDERS explained that the proposal of the late Government simply was that dogs found about the streets, without owners or without collars, should be liable to be taken to the police-station and kept there for a certain number of hours.

Clause, as amended, *agreed to.*

Clause 10 (Act not to apply to Dogs under Age of Six Months.)

MR. READ proposed that three months should be inserted instead of six.

MR. HUNT supported the clause as it stood. Many persons were in the habit of breeding dogs, either to make presents of them or for sale, and as it was not thought that they should be made to pay duty for them, the limit of six months had been proposed.

MR. MARSH said, that puppies began to be dogs at three months old, and people then made presents of them to their friends.

Amendment *negatived.*

Clause *agreed to.*

Bill *reported;* as amended, to be *considered* upon *Monday* next.

SUGAR DUTIES BILL—[BILL 37.]

(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer.*)

CONSIDERATION AS AMENDED.

Order for Consideration as amended read.

MR. HUNT said, that when this Bill was last upon the Order of the Day he stated that he was in hopes that he should be able to-night to state the exact day upon which the new scale of duties and drawbacks would come into force. Since then communications had been made to the other Powers that were parties to the Convention, and though France and Belgium had expressed their willingness to give effect to the arrangement at once, an unexpected difficulty had arisen with regard to Holland. At the Conference of September it was recorded in a Minute that the alterations should take place on the 1st of May, or at an earlier day, in case Great Britain should have sooner obtained legislative sanction for the modifications that would be required in her Customs duties. The Government, therefore, anticipated no delay on the part of other countries; but as the Declaration signed in November at Paris mentioned the 1st of May as the latest on which the alterations must come into effect, it was in the power of the Dutch Government to delay the changes in her tariff to that date. Her Majesty's Government had that day learnt from the Hague that the 1st of April was the earliest day that the

Government there could fix upon, and this only on certain conditions as to floating cargoes. Her Majesty's Government required a few day's time to confer with the other Powers who were parties to the Convention as to the effect of these conditions, and whether England could accede to them; but the House must understand that under no circumstances could the change be made before April 1. On Monday he hoped to state whether that day would be fixed upon, or whether they must postpone the alteration until the latest day named in the Declaration—namely, May 1.

Mr. CRUM-EWING regretted the hitch which had taken place, and thought the Dutch had got the better of our Government considerably. He acknowledged the courtesy and attention shown in that matter by the hon. Gentleman (Mr. Hunt); but he believed they would have these hitches occurring continually as long as the sugar duties continued in their present anomalous state.

Consideration, as amended, deferred till *Monday* next.

PARLIAMENTARY REFORM—REPRESENTATION OF THE PEOPLE.

Order for Committee to consider the Act 2 & 3 *Will.* IV. c. 45, read.

Mr. HIBBERT asked, whether it was the intention of the Chancellor of the Exchequer to bring forward his Reform Bill on Thursday next?

The CHANCELLOR of the EXCHEQUER: I stated on Tuesday that at the earliest moment I would state to the House the day on which I hoped to be able to bring forward the Reform Bill; and at that time I thought it was not improbable that on Thursday next it might be brought forward. I was not certain as to the day, and I said it was then impossible to bind myself to any particular day, but that I would give fair notice to the House; and I will give it fair notice.

Order *discharged.*

COUNSEL TO THE SECRETARY OF STATE FOR INDIA BILL—[Bill 51.]

(*Mr. Selwyn, Mr. Buxton, Mr. Coleridge.*)

SECOND READING.

Order for Second Reading read.

Mr. SELWYN, in moving the second reading of this Bill, said, that as there was no notice of opposition from any quarter, he need not make any lengthened statement in introducing it. The Bill was rendered necessary by a recent decision of an Election Committee of that House, which had held that by the combined operation of the statute of Queen Anne, and that of 1858, transferring the dominion of India to the Crown, the person holding the office of Standing Counsel to the Secretary of State for India was precluded from sitting in that House. That exclusion did not apply to the Standing Counsel of the Admiralty, inasmuch as the late Mr. Phinn and the late Solicitor General both sat in the House while holding the office; and the present Counsel to the Admiralty (Mr. Huddleston) was then sitting in the House as Member for Canterbury; nor was it understood when the Act of 1858 passed, to apply to the holder of this very office, for its then holder, Mr. Wigram, sat at the time of its passing, and for some time afterwards, as Member for the University of Cambridge; and no one questioned his right to do so, while those who were intended to be excluded—that is, the Members of the Council, were expressly excluded by the Act. This exclusion was therefore at once an accident, and an anachronism. He would not dwell on the legal attainments or literary eminence of the learned Gentleman (Mr. Forsyth) who now held the office, lest he should be suspected of excessive partiality—he would rather rest his advocacy of this measure on the convenience of the House. On Friday last they had a long and interesting discussion on the construction of Indian treaties, and a question was soon to be brought forward respecting the tenure of land in India. These discussions, he believed, would become more frequent as our connection and commercial and social intercourse with India grew, and as the Native Princes came over, as he hoped they would, to this country, for education; and it was extremely desirable that a gentleman who, from his professional practice, must be familiar with the questions that would thus from time to time arise, should be a Member of that House, to supply the special information the House might desire. But he would put it on the still higher ground—advantage to the public service. It was an office the emoluments of which were not large, but which it was very desirable should be filled by a man of ability; and if in addition to the smallness of the salary, they were to say that its holder should be disqualified from that object of honourable ambition, a seat in that House, he was afraid the choice of the Secretary of State for India would be limited to a very narrow range. For these reasons he hoped the House would assent to the second reading of the Bill. The only objection he had ever heard to the measure was that it did not go far enough, and that there were a great many other cases of exclusion which might be properly dealt with. He would admit the force of that argument if the Bill were proposed by the Government, but he had confined himself to such a measure as he thought a private Member could carry; while he admitted there were other disqualifications that ought to be removed, and he would be ready to assist others in removing them.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Selwyn.*)

MR. SERJEANT GASELEE said, the learned Gentleman who at present filled that office would be an ornament to the House as a lawyer, a scholar, and a gentleman; but he objected to the Bill on principle. The learned Gentleman (Mr. Forsyth) had been returned for the borough of Cambridge; the question arose whether he could sit, and a Committee decided that he was excluded by the statute of Anne (the 6th Anne, c. 7, s. 55). The object of that Act was expressly to exclude persons holding places under the Crown—"placemen"—from the House of Commons. If that statute was not a wise one, repeal it altogether; but he did object to repealing it by piecemeal and in favour of an individual. If the learned Gentleman had a seat in that House, he doubted whether the noble Lord the Secretary of State for India would permit him to open his mouth. The case of the Solicitor to the Admiralty had been referred to; but that gentleman was appointed by the First Lord of the Admiralty, and not directly by the Crown, and when Mr. Wigram, the counsel for the East India Company, sat in the House, that company was distinct from the Crown. He thought it was not desirable to increase the number of placemen in that House, and he therefore moved that the Bill be read a second time this day six months.

MR. WHITE seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Serjeant Gaselee.*)

Question proposed, "That the word 'now' stand part of the Question."

MR. WALPOLE said, it seemed that the main objection of the hon. and learned Gentleman who moved the Amendment was not an objection to allowing the Counsel of the Secretary for India to be a Member of that House, but that this measure should be adopted in place of re-considering the statute of Anne, with a view to determining how many other offices should be relieved from the existing disqualification; and no doubt it might be desirable to consider whether that Act might not be altered so as to enable persons, not under the direct influence of the Crown, to obtain seats in that House. There were two clauses in the statute of Anne of very different and distinct operation, the one requiring persons who took office under the Crown to go back to their constituents, and therefore effect a permanent exclusion from the House of Commons; and the other prescribing that certain offices should be disqualifications altogether from sitting in Parliament. The object of this distinction was to exclude those who were under the direct influence of the Crown; but the office now in question was not one of that description which could be said to place the holder under the direct influence of the Crown. The office of Counsel for the Secretary of State for India was held independently of the Secretary of State for the time being; and therefore not being under the direct influence of the Minister, or of those who exercised the patronage of the Crown, it was not one of those offices to which the argument founded upon the statute of Anne would apply. That being the case, it did not appear to be desirable that they should continue to exclude from a seat in the House a person who might be of great use in its deliberations. The holder of this particular office would have been enabled to sit in the House had not the Government of India been transferred from the Board of Control to the Crown; and yet the Board of Control was as much appointed under the influence of the Crown as the Secretary of State for India. It therefore seemed to him that this particular office was one from which the disqualification might well be removed. The Bill of the hon. and learned Member appeared to be a reasonable measure, and one that would add to the character and influence of the House.

MR. HENRY SEYMOUR said, it was

not the President of the Board of Control who made the appointment to this office before the transfer of India to the Crown, but the Chairman of the East Indian Company, and he apprehended that the Secretary of State for India on entering office might appoint a new Standing Counsel. It was no doubt important to have the best information when they were discussing questions of Indian law or land tenure; but, at the same time, it would be very inconvenient to have the Standing Counsel getting up in the House to answer the Secretary of State, as might very well happen if this measure passed. If Mr. Forsyth were admitted to a seat, although counsel to the Secretary for India, what was to exclude Mr. Greenwood, of the Treasury? The Bill would altogether upset the principle of the statute of Anne; and if that was to be done they had better at once take the whole subject into consideration, and determine what placemen should be permitted to hold seats in the House.

VISCOUNT CRANBOURNE submitted that the argument founded on the statute of Anne did not apply to the case. The real point seemed to him to be this—that it was of the utmost consequence that the India Office, which had to decide upon questions of the most enormous importance, should be able to secure the assistance of the very highest talent in the legal profession. Happily, in the present instance, they had a gentleman of great eminence; but if they laid or continued a penalty on the office, if they shut the door to a distinction which was not only the highest to which an Englishman could aspire, but in the particular instance of the legal profession led to all the highest awards of that profession, he apprehended that men of first-class talent would no longer be willing to accept the office. It seemed to him, therefore, that the balance of advantage lay in the removal of this disqualification, thei argument for which rested rather upon old prejudices than on sound reason. He should therefore support the Bill.

MR. AYRTON objected to the Bill, on the ground that Parliament had formerly found it necessary to limit very narrowly the number of placemen who were allowed to hold seats in the House, and the present Bill was calculated to evade this wise precaution. The question had been deliberately decided when the Government of India was transferred from the Board of Control to a Secretary of State. The measure would, moreover, be attended with practical inconvenience. The Standing Counsel to the India Office was the confidential adviser to the Secretary of State for India; and it would be extremely inconvenient that a Member of the Opposition should hold that office and be in the secrets of the Government for India. Yet this was likely enough to happen if the gentleman who filled that position was suffered to sit in Parliament. The question was one of considerable importance; and, as it had been brought on unexpectedly, he trusted that his hon. Friend would not press it to a division in so thin a House.

SIR JAMES FERGUSSON, in opposition to the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), maintained that there was never any intention to deprive the Standing Counsel to the India Office of the power of a seat in Parliament; that the exclusion had resulted accidentally from the Act of 1859. By that Act it was necessary that, within a few days after its enactment, a list of the establishment should be submitted to Her Majesty, and in that list appeared the officer in question. He (Sir James Fergusson) was a member of the Committee which had had to perform the painful duty of unseating Mr. Forsyth; but they had done so not because the patronage of the office had been transferred to the Crown, which would not have rendered it a new office under the Act of Anne, but because the sanction of the appointment by the Queen in Council, as one of the Establishment of the Secretary of State, had that effect. But there was no ground, in reason or precedent, why the holder of the office should not have a seat; and, indeed, after the transfer of the Government of India to the Crown, the Standing Counsel to the Court of Directors — who was continued in office—was allowed to sit without objection. Mr. Forsyth had been unseated under very peculiar circumstances; for until the petition was presented no person was aware that the learned Counsel was disqualified from sitting in that House by reason of the office he held. ["No, no!"] At all events, his predecessor had sat without objection for the University of Cambridge.

MR. WALDEGRAVE-LESLIE said, that of the five Secretaries of State three were assisted by Standing Counsel. The Standing Counsel to the Secretary of

State for the Home Department was not able to sit in that House, and he did not see how the Standing Counsel to the Colonial and Indian Secretaries could have any better claim to sit there. As the course taken by the House on the present occasion would probably form a precedent, he thought it would be better to read the Bill a second time, and then refer the question to a Select Committee for careful consideration.

THE SOLICITOR GENERAL said, the real question before the House was, whether the Bill before them should be read a second time. His own belief was that had the attention of the House been drawn to the matter at the time the Act creating the office was passed, the Standing Counsel to the Secretary of State for India would have been permitted to sit in Parliament. What was the state of things? For many years before the passing of the Act there had been an office of Counsel to the India Board, and it had never been suggested that the person holding it was incapable of sitting in Parliament. Under the Act the office was retained, and it was now held that persons holding it could not sit. The office was the same, and the functions were the same; and therefore it could not have been the real intention of the Legislature that the holder of the office should be incapacitated from having a seat in that House. Parliament had frequently authorized persons holding office under the Crown to sit in the House of Commons. It must be recollected that the holder of the office in question only advised upon legal and not upon political questions. He hoped that the House would read the Bill a second time.

MR. WHITE thought the question of so much importance that the House should not decide hastily upon the matter. In his opinion there were already too many placemen in the House. He moved the adjournment of the debate.

MR. WHALLEY supported the second reading of the Bill, contending that there was no tangible objection to such an officer of the Crown sitting in the House, and that had it had his assistance at the time of the India Bill, he would have been able to have given it much information on the question then before it.

Motion made, and Question put, "That the Debate be now adjourned."—(*Mr. White.*)

The House *divided:*—Ayes 34; Noes 58: Majority 24.

MR. GLADSTONE said, that he had voted for the adjournment because he thought the question was one of considerable importance and delicacy, and because he thought it would have been better to have the further discussion on the Bill before, instead of after, the second reading. The House, however, having decided otherwise, he would counsel his hon. and learned Friend (Mr. Serjeant Gaselee) not to oppose the second reading any further, but to debate the matter as a constitutional question on the Motion for the Speaker's leaving the Chair.

Question, "That the word 'now' stand part of the Question," put, and *agreed to.*

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Monday* next.

CHARITY FUNDS AND ESTATES BILL.

On Motion of Mr. RICHARD YOUNG, Bill to invest in Municipal Corporations the management of their Charity Funds and Estates, *ordered* to be brought in by Mr. RICHARD YOUNG and Mr. WILLIAM EDWARD FORSTER.

Bill *presented,* and read the first time. [Bill 60.]

House adjourned at a quarter before Eleven o'clock.

HOUSE OF LORDS,

Friday, March 1, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Marriages (Odessa)* (30).

Second Reading—Hypothec Amendment (Scotland) (12).

Report—Masters and Workmen* (3).

Third Reading—Lis Pendens* (6); Sale of Land by Auction* (10), and *passed.*

The Right Honourable Duncan McNeill, late Lord Justice General and President of the Court of Session in Scotland, having been created Baron Colonsay of Colonsay and Oronsay in the County of Argyll—Was (in the usual Manner) introduced.

The Right Honourable Sir Hugh MacCalmont Cairns, Knight, a Judge of the Court of Appeal in Chancery, having been created Baron Cairns of Garmoyle in the County of Antrim—Was (in the usual Manner) introduced.

THE CONVERTED ENFIELD RIFLE.

QUESTION.

Earl DE GREY and RIPON said, he wished to ask the Under Secretary of State for War a Question, of which he had given him private notice. There had recently appeared in the newspapers some statements which, if they were correct, tended to show that the Enfield rifles converted on the Snider principle had proved, since they were issued to the troops, by no means so efficient and so calculated to make good shooting as was anticipated when the system was first adopted. The Reports which came in just before he left the War Office gave good reason to believe that this system of conversion afforded a satisfactory mode of tiding over the time that must necessarily elapse before it was possible to determine what was the best breech-loading rifle to place in the hands of the troops. His noble Friend the late Secretary of State for War (the Marquess of Hartington) determined that a considerable number of Enfield rifles should be converted on that principle at once, with a view to their being placed in the hands of the troops in case any emergency should arise. The present Secretary of State for War was so satisfied with the Reports, that shortly after he took office he presented a Supplementary Estimate to the other House of Parliament, and ordered a very large and extensive conversion. The statements, however, which had recently appeared in the public papers had caused fears to be entertained that the system of conversion was not so satisfactory as was at first supposed. But the main defect appeared to be not so much in the rifles as in the ammunition which was made by machinery, and which had not made as good shooting as ammunition prepared by hand. Taking into consideration the importance of this subject on account of the large sum of money which had been spent in this system of conversion, and the necessity of arming the troops with the best possible arms, he hoped the noble Lord would state what information the Government had received on the subject.

The Earl of LONGFORD said, that reports had been current much to the disadvantage of the Snider system of converting Enfield rifles, the fact being that, although they had been tested and experimented upon in every possible way, previous to their adoption into the service, some small defects had developed themselves in the cartridges and in the mechanism of the arm. The first cartridge adopted in the course of practice did not prove satisfactory. A second was then tried, and was not found satisfactory; but although these cartridges failed in accuracy at target practice, they were not unserviceable. A third had now been adopted which there was every reason to believe would be perfectly satisfactory. The small defects which had developed themselves in the mechanism of the arm were such as could easily be remedied without making any change in the original plan of the arm. He held in his hand a letter from Sir James Yorke Scarlett, who is commanding at Aldershot, and whose attention had been directed to the exaggerated reports which the noble Earl had referred to. It was as follows:—

> "Aldershot, Feb. 26, 1867. . . . . . . I forward a letter from Captain Thompson, District Instructer of Musketry, under whom the practice so erroneously described took place. . . . Though I believe a still simpler plan will be produced, I consider the present pattern Snider rifle an admirable weapon, and perfectly efficient when well made and well handled."

The enclosure from Captain Thompson was dated February 25, 1867, and was in the following terms:—

> "Having noticed an article respecting the recent trial of Snider rifles and ammunition at Aldershot which is likely to lead the public to form erroneous opinions as to their general efficiency, I think it right to inform you that the trial which took place here, instead of proving not very favourable to the new arm and ammunition, may be considered the reverse. Out of 8,000 rounds fired, only twenty cartridges burst, none of which in any way injured the breech arrangement, and only three missed fire. In very few cases were the old cartridge cases found difficult to withdraw, and those frequently from the awkwardness of the men who were firing for the first time with an entirely new weapon. As regards accuracy at 500 and 700 yards, notwithstanding an apparent inferiority of the Snider to the Enfield at the longer ranges, I think that the very little practice which was made with the Snider rifle at the longer range should not be received as a test of accuracy, as the sighting of the rifle is altered in consequence of the reduction of the weight of the bullet; and the accuracy of the Snider may probably not be found inferior to that of the Enfield rifle when the soldiers become accustomed to its use, which, up to the present time, they have had no opportunity of becoming."

Sir James Scarlett added—

> "My only regret is that the correspondents who furnish information on military matters to the press do not first make themselves acquainted with the subjects on which they write."

He trusted that this explanation would be satisfactory to the noble Earl; and he might add, that although it would be a great disappointment to be obliged to confess a failure, the War Office would not have proceeded with the conversion, as they were now doing, if they had lost confidence in the arm.

THE EARL OF DALHOUSIE said, he was not satisfied either by the answer of the noble Earl, or by what he had read of the Snider rifle in the newspapers. Considering the vast sums of money to be laid out in putting a proper weapon into the hands of our soldiers, he thought that proper means had not been taken with regard to the selection of that weapon. Last Session, when this question was mooted in that House, he strongly recommended the noble Lord at the head of the Government to appoint a Committee other than the Ordnance Committee, in which he had no confidence, to consider the question of a selection of small arms. He recommended that the Committee should consist of some of the lieutenant-colonels commanding the regiments which had the highest number in musketry, and to add to them some of those gentlemen who took a deep interest in, and were thoroughly conversant with, the long range shooting of our Volunteers. If such a Committee were appointed to consider the best weapon, there would be a good chance of obtaining a good, a simple, and an effective arm. Before the country was put to very great expense in obtaining improved arms, it was but right and just that all engaged in the manufacture of arms, and all interested in putting a good and simple rifle in the hands of our soldiers, should have an opportunity of competing before a competent Committee, which should recommend such weapon as it might think best adapted for military use, and above all adapted to receive the rough usage which was given to any rifle put in the hands of the common soldier.

MILITARY AT ELECTIONS IN IRELAND.

MOTION FOR PAPERS.

THE DUKE OF ST. ALBANS, in moving for Papers on the subject of the Employment of the Military at Elections in Ireland, said, that in any allusion he should make to recent events, he did not seek to throw blame upon any one. It would be improper in him to do so, if for no other reasons than that, arising out of the two elections to which he should refer, there were petitions to the other House of Parliament against the return of Mr. De la Poer and Captain White for Waterford and Tipperary, and that some men of the 12th Lancers might be put upon their trial for an event which took place at Dungarvan during one of those elections. He should have been ready to leave the duty which he was now about to discharge to some noble Lord locally connected with the part of the kingdom in which those elections had taken place; but he was glad to be the means, however humbly, of showing that in Irish affairs a warm interest was felt on this as well as on the other side of St. George's Channel. Further, he ventured to think that the use of Her Majesty's troops at an election was a matter which any Member of their Lordships' House might reasonably bring under the notice of Parliament. He should now very briefly state the reasons which had induced him to put his notice on the paper. In England it had been found unadvisable to call on the military either to convoy voters to the poll, or to parade the town or village in which the polling was taking place. In Ireland it was quite the reverse. In Ireland when violence was apprehended troops were called out, and the election was put under military supervision and control. In England it was thought better to run the risk of individual encounters between the inhabitants rather than that a single man should receive a wound at the hand of any of the Queen's troops. In Ireland, however, electoral purity and independence and freedom of election were upheld at the point of the lance and with the edge of the sword. Now, what was the Parliamentary declaration with respect to English elections, made on the 17th of November, 1645? It ran in these words—

> "That all elections be made without interruption or molestation by any commander, governor, officer, or soldier."

Again, on the 22nd of December, 1741, it was declared—

> "That the presence of a regular body of soldiers at an election is a high infringement of the liberties of the subject, a manifest violation of the freedom of elections, and an open defiance of the laws and constitution of this kingdom."

But Parliament had gone still further. By the 10 & 11 *Vict.* c. 21, s. 3, it was enacted—

> "In order to secure freedom of election it is directed that the Clerk of the Crown or other officer making out any new writ shall as soon as the writ has been made out, give notice to the Secretary at War, or, in case there be no Secretary at War, to the person officiating in his

stead, and he to the General commanding the district, who is to see that no soldier, within two miles of the place of election or poll, shall be allowed to go out of barracks on the day of nomination or polling, unless to mount or relieve guard, or give his vote at the election, and that going out for such purpose, he shall return with all convenient speed."

Such was the law as regarded England. In Ireland the principle appeared to be quite the reverse. At the recent elections in Tipperary and Waterford the military had been called out. The events of the Waterford election were so recent and so well-known, that he need not detain their Lordships by detailing them. In the town of Dungarvan, in the latter county, a number of the 12th Lancers were engaged in escorting voters to the poll, when a disturbance took place, and a gentleman named Captain Keily, who lived in the town, received a fatal wound from the lance of one of the soldiers. A coroner's inquest was held, and a great deal of evidence was given as to the throwing of stones at the troops; but the result of the inquiry was a verdict of wilful murder against several of the Lancers. It would appear to him that while the troops were powerless to protect the voters, unless they were allowed to use their arms freely, their presence on such an occasion was a cause of irritation. Every officer knew that it was impossible for him to order his men to act; the men knew the same thing; and the Irish mob was equally well aware of the fact. He found that in the reports of the inquest these observations were attributed to Mr. Waters, a professional gentleman who appeared for the friends of the deceased Captain Keily. Mr. Waters said—

> "It was asked was a trooper to sit in his saddle and be stoned, and not resist it? He asserted that he was, and such was the law of the country."

That doctrine might appear extraordinary to some of their Lordships, but an Irish jury had borne Mr. Waters out in his view of the law. What, he would ask, was the result of the employment of troops at the Waterford election? First, it had placed gallant officers in a very painful position; next, it had led to a stigma being for a time cast on one of the finest regiments in the service, and, of course, had rendered that regiment unpopular in one of the richest recruiting districts of the Empire; and lastly, it had, in all probability, raised a hostile feeling between Her Majesty's troops and a portion of her people. Soldiers in the discharge of their duty were but men after all, and at the inquest it came out that one of the Lancers said to his officer, referring to the conduct of the mob, "Flesh and blood cannot stand this." Under such circumstances, officers must feel it extremely difficult to decide how they ought to act. He spoke in the presence of illustrious and distinguished officers, and he asked them whether he was not correct in making that statement? He submitted that the proper instruments for securing freedom of election in Ireland were the Irish police, and the power of petitioning Parliament against any return which was brought about by violence. It might be said that there would be breaches of the peace if the military were not employed; but it must be remembered that the Irish constabulary was a very large and a very well disciplined armed force. During the last election for the county of Dublin the troops were confined to their barracks, and yet no disturbance took place. He had been assured on all hands that the noble Lord now at the head of the Irish Government (the Marquess of Abercorn) conducted his administration not only with great splendour and liberality, but with a hearty desire in every way to promote the best interests of the country. At the same time, when the true interests of the people in both countries pointed to a perfect assimilation of rights and privileges, an elector of the county of Waterford might well ask why he was to exercise the franchise under different auspices from an elector in the county of Sutherland. He would conclude by thanking their Lordships for the kind attention with which they had listened to him.

Moved, That an humble Address be presented to Her Majesty for,

Copy of the Instructions or Orders issued to Officers commanding Regiments and Detachments called upon to aid the Civil Power in maintaining Order at recent Elections of Members of Parliament in Ireland: Also,

Copy of the Instructions issued to the Stipendiary or other Magistrates concerning the Use of Troops on such Occasions: Also,

Copy of any Reports or any Extracts of Reports to the Government from the General commanding the Forces in Ireland respecting the Employment of the Military in aid of the Civil Power during any recent Elections in that Country, and the Conduct of the Troops upon such Occasions.—(*The Duke of St. Albans.*)

The Earl of LONGFORD said, there had been three elections lately in Ireland, at which troops had been employed in aid and upon the demand of the civil power. He did not find that, at any one of these, special instructions had been issued, relative to the conduct of officers or soldiers, whose duty, in such cases, was well understood. The Queen's Regulations provided generally for the movements of troops to aid in the suppression of riot, and were applicable, generally speaking, to Irish elections. Each officer was provided with a small book, in which the Queen's Regulations were somewhat amplified; and those books were also supplied to magistrates. There would be no objection to produce one of those books, if the noble Duke wished, but their contents were simply what he had stated. He was further informed that the stipendiary magistrates acted under their ordinary instructions; those he could not produce, as they were not actually in his hands; but his noble Friend the Under Secretary for the Home Department would, no doubt, be able to say whether there was any objection to produce them. To enable 3,400 electors of the county of Waterford to exercise their constitutional privileges, nineteen stipendiary magistrates were collected to cooperate with the local magistrates; and a force of 1,900 soldiers, besides a body of police, was stationed in the county, and stationed in vain; for since the election a petition had been presented, setting forth that a number of voters, through the violence and intimidation which prevailed, had been unable to record their votes. Voluminous reports had been received from the General commanding the district, covering other reports from officers who had exercised independent commands, bearing testimony to the admirable conduct of the troops under gross provocation, harassing duties, and violent assaults. These reports also gave details of numerous instances of violence perpetrated by organized bodies of men, who openly set the law at defiance, constructing barricades most skilfully disposed, accumulating with prudence and foresight great heaps of stones, at points where they might prove serviceable, and generally obstructing, by all the means in their power, the progress towards the poll of those electors to whose opinions they were opposed. At Tipperary election, although there had been considerable violence, although the troops had been insulted, and subjected to most disagreeable duties, no loss of life, at the hands of the military, had been reported. But at Dungarvan, as the noble Duke had stated, the outrages were carried to much greater extremes. In the town of Waterford, at Dungarvan, and at many other points in different parts of the county, attacks were made upon the military, sometimes in small parties, sometimes even when they were in large bodies. At Dungarvan an affray took place, in which the Lancers were obliged to defend themselves from the violence with which they were assailed; two men, unfortunately, lost their lives, one a person who, he believed, had taken no part in the disturbances. The responsibility, however, of that loss of life rested on those who organized bands of rioters to disturb the public peace, and not on those who, in the exercise of their duty, and by no will of their own, were placed in a position which brought them into conflict with the populace. A charge had been put forward against the soldiers of having acted with unnecessary violence; but, having read the various reports which had reached him, and also those which had been published, he was disposed to concur with what an officer upon the spot, unconnected with the troops, had declared as to the great forbearance exercised by the soldiers under great provocation and most trying circumstances. The noble Earl having read extracts from reports received from Lord Strathnairn, Colonel Sawyer, Captain Betty, 6th Dragoon Guards, and other officers, descriptive of the movements and duties of the troops during the elections, and of the outrages to which they had been subjected; and from Mr. Fleming, senior magistrate of Tipperary, Mr. Gore Jones, one of the most experienced stipendiary magistrates in Ireland, Mr. Miller of Waterford, Mr. Warburton, stipendiary magistrate, who read the Riot Act—testifying to the forbearance, good conduct, and efficiency of the soldiers—proceeded to say that all these reports tended to prove that the skirmishes were not local or accidental, but formed part of an organization deliberately set on foot. Into the legal aspect of the question, he would not enter, for it had been debated only a few evenings ago, on the question raised as to calling out the Volunteers in aid of the civil power; and it would, he believed, be brought directly under the notice of the other House by a Bill introduced with the object of extending to Ireland the English law as to the non-employment of military at elections. If it were decided to withdraw the military, there were two alternatives, either such an increase of the civil force as will make them equal to the performance of such duties as the civil power may require; or, police as well as soldiers might abstain from taking any part in elections, leaving it to each individual voter to make his own way to the poll, by whatever means, and with whatever arms for his protection, he thought best. Upon the propriety of the latter alternative, of course, he offered no opinion whatever; but he would gladly concur in any project by which the military may be relieved from a most ungracious duty. If the noble Duke pressed for such documents as he had declared it to be in his power to produce, the desired information would, of course, be afforded.

VISCOUNT LIFFORD said, that in the case of riot at an election the troops were sometimes called in in England in aid of the civil power; and he had himself, on two occasions, commanded troops in Warwickshire under such circumstances.

THE EARL OF BELMORE said, that no instructions of a special nature had been issued by the Home Office to the stipendiary or other magistrates with reference to such occasions as were referred to in the Motion.

THE DUKE OF CAMBRIDGE: My Lords, I wish to express my sentiments with respect to the employment of troops at elections, and I cannot allow this opportunity to pass without doing so. I think the practice most objectionable; and I believe there is no duty of which the troops have so great a horror. At the same time, it must be remembered that the initiative must always be taken by the civil authorities themselves; and it is clearly laid down that when the troops are called on by the civil power it is necessary that they should support it in the preservation of the peace. I apprehend that these troops are not sent to attend the election, but practically in obedience to the requisition of the magistrates stating that they apprehended a breach of the peace and that the civil power at their command was not sufficient to meet the emergency. Unfortunately, in Ireland it almost always happens that the services of the military are called into use at elections, at the request and in aid of the civil power. Under these circumstances, the law is clear; and although, for the sake of the troops as well as the people, I should very much like to see such a change as would enable the civil authorities altogether to dispense with the use of troops, I am afraid that it is impossible to make any change in this respect. How is it possible if the civil authority requires assistance on the ground that it apprehends a breach of the peace, bloodshed and loss of life, that the Government could withstand the pressure from without if they refused to do all in their power to prevent such a calamity? I should heartily wish to see a more conciliatory spirit prevailing at Irish elections on both sides; but until such a change takes place I am afraid you cannot alter the law. At the same time, I am strongly of opinion that no troops should ever be exposed to unnecessary insult or provocation. With reference to the acts of the troops in cases of riot, I desire to say that, although I have no wish to screen any from the censure due to those who exceed their duty, I think every allowance should be made for bodies of troops employed in the suppression of riots; and respecting the cases under discussion, I have every reason to believe, from the representations we have had from responsible persons, that the troops were exposed not only to the greatest obloquy and insult, but that they were actually attacked with stones and other missiles. This, I think, is almost beyond a man's powers of endurance; it is not to be expected that men are to sit still under such a state of excitement; such a passive endurance is not in human nature, and is more than can be expected of the troops. I verily believe that, if we were to go critically into the conduct of the troops, we should find that the amount of forbearance which they exhibited redounds very much to their credit. I deplore, perhaps more than any of your Lordships, that two cases of death resulted from the riots at the Waterford election; but I must express my belief that these deaths were occasioned by one of those unfortunate combinations which it is almost impossible to avoid in a dense and excited crowd of people, crushing upon one another, and surrounding a few soldiers endeavouring to extricate themselves from the general confusion. We must not forget that upon such occasions as these the throwing of stones and shouting not only irritate the men, but make their horses uneasy; and in this particular instance the horse of the officer in charge became so restive that it was unmanageable. These are incidents which still further complicate the difficulties of the situation. I merely wish to point out to your Lordships the great difficulties to which the troops have been exposed. I hope, then, on full consideration of the circumstances of the case, not only your Lordships, but the public at large, will appreciate these difficulties, and be led to take a generous view of their conduct. I do not wish to defend anything palpably wrong, and I think that the whole profession will deplore these results. There is not one of the men who were engaged who would not, I am sure, feel with me delighted if these sad events could have been avoided. I am satisfied that nothing would be a greater solace to the troops than to know that the country believed that they had endeavoured to do their duty without recklessly or inconsiderately availing themselves of the opportunity to exceed it. My Lords, I feel called upon to make these remarks in justice to the troops. If I felt the slightest doubt as to their conduct, I should be the first man to admit that censure might be due. I feel, however, justified in stating distinctly I believe honestly and sincerely that no censure is due, but that the troops, on the occasion in question, did conscientiously and moderately perform their duty.

EARL GREY: My Lords, we must all have heard with great satisfaction the observations which have fallen from the illustrious Duke, and we must all concur in deploring the necessity of using troops to quell civil disturbances; but, at the same time, we must not forget that it is the first duty of the Government to protect Her Majesty's subjects in the exercise of their lawful rights. Riots with violence must, at all hazards, be put down; if the civil force cannot do it, then the military must support them, and if painful consequences ensue, the fault lies, not with the troops, but with those persons who have broken the law in the first instance. The very essence of free Government is violated if an elector is coerced by fear when giving his vote. It is therefore absolutely necessary that violence at elections should be put down; and if any fault was committed by the troops upon the occasion referred to, it was an excess of leniency, inasmuch as they allowed, so far as we can judge from the published reports, an excess of rioting before they decisively interfered. It should be understood by the populace that troops are not sent out at elections as a mark for stone-throwers and as subjects for violence; and it should be understood that they are justified—nay, that it is their duty to use their arms to put an end to the violence of rioters.

LORD VIVIAN expressed his belief that the troops were not only called out at the request of the civil power, but refrained from acting until the civil power directed them to do so. He presumed, then, that the Lancers at Dungarvan did not act until called upon, and then he believed they performed their duty with great forbearance. He rose, however, for the purpose of inquiring of the Under Secretary for War as to the actual position of the Volunteers. The old adage, "*Quot homines tot sententiæ*," had never fitted any case so admirably as it applied to this question.

THE EARL OF LONGFORD said, that on the last occasion when the subject was discussed in that House, it was stated that very shortly would be published instructions, which are under preparation in the Home Office, for the guidance of the civil authorities and Volunteers in the cases referred to.

LORD VIVIAN hoped that the Government would give proper attention to the subject, as it was a matter of considerable importance.

Motion (by Leave of the House) *withdrawn.*

HYPOTHEC AMENDMENT (SCOTLAND) BILL.

(*The Lord Chancellor.*)

(NO. 12.) SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving the second reading of this Bill, said, that from communications which had been made to him from various quarters, he had been led to believe that this Bill would not be received favourably by any noble Lord connected with Scotland, and therefore he had not felt in a very agreeable situation. What had occurred, however, on the previous evening had re-assured him on that point. He should perhaps be pardoned if he entered into a short explanation of the objects of the measure. Hypothec is a right by the common law of Scotland which the landlord possesses over the fruits of the ground, and over the cattle and other property of his tenant, as security for his rent. Perhaps it might be convenient to explain to those who were familiar only with the law of England the difference between it and the law of Scotland as to the relation of landlord and tenant. In England, the landlord has no power over his tenant's property until the rent is due; and then, if the rent is due and unpaid, the landlord may seize all movables, with a few exceptions, and may, by statute, distrain upon the growing crops; and if the tenant does not pay the rent within five days, the landlord may sell the goods and crops, and out of the proceeds pay himself the rent, and hand the surplus, if any, over to the tenant. If a tenant, being in arrear, clandestinely removes his goods to avoid a distress, the landlord may, within thirty days, follow and seize the goods, and make them available for the payment of the rent in the same manner as if the distress had been on the land; but if the tenant removes his property the day before the rent becomes due in order to prevent the distress, the landlord has no remedy. In Scotland the law is quite different. The law of hypothec, in fact, gives the landlord a security for the current rent; the landlord may retain the property of the tenant on the land, even if no rent is due; and if the tenant removes the property the landlord may follow it and bring it back on the land. If there is no rent due, he retains it as a security; and if there is rent due, he appropriates it in payment. The hypothec extends to the produce of the year for which the rent is due, and the year is taken to expire three months after the conventional term at which the rent becomes due—namely, on Whitsunday (15th May), and Martinmas (11th November). If the tenant removes the crops after the rent is due, the landlord may follow and seize them in the hands of a *bonâ fide* purchaser, unless the property has been sold to him in bulk in market overt. If the goods are sold by sample in market overt, or out of market overt, the landlord's remedy remains; and there was a case in which the landlord exercised this right seven years after the removal of the property from the land. Hypothec is a general right of retention or recovery. If a landlord wishes to exercise it over specific objects, he must do it by sequestration, and obtain a warrant of sale from the sheriff. This peculiar law of landlord and tenant in Scotland has at different times undergone discussion chiefly as it affected *bonâ fide* purchases, and Bills have been introduced upon the subject, which have not been proceeded with. But in the year 1864 a Royal Commission was issued for the purpose of inquiring into the law of hypothec. That Commission made an able Report, and upon the recommendations contained in it this Bill is founded. The Commissioners stated that they sat for thirty days at Edinburgh, and examined 102 witnesses, including landlords and agents, bankers, corn and manure dealers, and tenants, so that they might be informed of the state of the law in Scotland, and they were satisfied that the information laid before them was complete, and had exhausted the subject. Two of the Commissioners thought that the law ought, subject to existing leases, to be abolished, and they dissented from the general Report of the majority of the Commissioners, who thought that the law ought to be retained subject to certain alterations which they recommended, and which were embodied in the Bill. The clause to which he would first direct attention was the third, which gave protection to the *bonâ fide* purchaser of corn, &c., for valuable consideration, actually delivered, removed, and paid for. The provision was, he thought, a very necessary and proper one, because, in the present day, there were very few bulk markets, crops being generally sold by sample. To the next clause some noble Lords might possibly object, as it provided that hypothec was not to be available beyond three months after the rent was due. He did not think that clause would meet with any very decided objection, provided he consented to protect existing contracts from the operation of the Bill, and he might say that he felt disposed to make that concession. By Clause 5, the stock of a third party taken on a farm to graze was made liable only to the amount of consideration payable for the grazing. By Clause 6, it was provided that in the sequestration for rent of any farm or lands it should not be competent to include any household furniture or agricultural implements, or imported manures; and lastly, the Bill provided that all sequestrations for rent should be entered in a register, to be kept at each court where sequestrations for rent were granted. The Bill was, as he had stated, founded upon the recommendations of the Royal Commission, which had sat in 1864 to inquire into the matter, and, in his judgment, its provisions introduced a wholesome alteration into the law.

Moved, "That the Bill be now read 2^a."—(*The Lord Chancellor.*)

The Earl of SELKIRK said, he entertained a very strong objection to the

Bill, and his opposition was on behalf of the small tenants in Scotland, whose position would be greatly changed by the operation of the Bill, and not because it was likely to affect the pecuniary interests of the landlords. In 1830 the attention of Lord Brougham, who was at that time Lord Chancellor, was called to the law of hypothec by a case that came before him, and in November of that year he introduced a Bill identical with the three first clauses of the present Bill. But having better considered the question, and having heard strong remonstrances from Scotland, the noble and learned Lord withdrew the Bill. Another Bill was introduced in the same Session by Lord Belhaven, to enable grain to be sold by sample in the open market, but this was also withdrawn, and nothing more was heard of the matter until the year 1848-9, when great numbers of the smaller tenantry of Scotland became bankrupt, and an agitation was got up by the corn-dealers, who were anxious that some alteration should be made in the law which would enable them to secure bargains in grain from bankrupt stock, by transactions which, though they might be considered *bonâ fide* and legal, partook, nevertheless, of the nature of sharp practice. The matter having again dropped it was not revived until the present Bill was brought in. A great change had taken place during the last few years in the position of the farming class in Scotland in consequence of farms having been much consolidated, and farmers had become divided into two distinct classes, those holding large farms, and those having small holdings. Some landlords were in favour of large farms, and he believed that the effect of this Bill would be to increase the temptation, already strong enough, to further consolidation of the farms, which must injuriously affect the interests of the holders of small farms. If this Bill passed it would very much discourage small holdings in Scotland. In the part of Scotland in which he lived, the usual practice was that rent was payable half yearly, in May and November, but practically it was not collected till August and February. Under this Bill sequestration would be taken away three months after the period at which rent became legally due. The three months' grace now allowed were of infinite value to small tenants, as they were thus enabled to reap their crops and to realize their cattle before they were called on to pay their rents. The withdrawal of this accommodation would, to many small tenants, be almost ruinous, and that would necessarily result from this Bill. He recommended that the Bill should be hung up as Scotch Bills generally were till after the 30th of April, when the county meetings took place, and if strong remonstrances were not made on the subject by the small holders of land, he would take no further step against the measure. But unless he received such an assurance he should make a Motion that the Bill be read a second time this day six months.

THE EARL OF DALHOUSIE said, he did not intend to offer any active opposition to the Bill, though he thought it would have been better if this matter had been allowed to rest. Such an agitation, however, had been got up, most unreasonable, as he thought, in itself, that it was wise and prudent on the part of the Government to offer some concession, rather than let an agitation go on, the object of which was to get rid of the law altogether. The law was one which, as the Commissioners stated, they could not trace to its origin. It was founded on the old Roman Law, and was the law of Scotland up to the year 1623, when the term "hypothec" was first introduced into the statute; and a few years after that time, by certain decisions of the Courts in Scotland, the law assumed the form which it had held ever since. It was under this much-maligned law of hypothec that all the improvements in agriculture had taken place in Scotland. It was rather a delicate thing, then, to touch a law which had conferred such great benefits on the country. But the law did not apply to agriculture alone; it protected landlords, in common with merchants and those engaged in commerce; and if they broke down the protection which the landlord enjoyed, other classes must also suffer. His great object in maintaining this law was not that he considered it essential for the benefit of the landlord; it was a law of protection for the humbler class of tenants. At the root of the great agitation against the law was an attempt by the large tenants of Scotland to get rid of the competition of smaller tenants for land and compel landlords first to throw their farms together into large farms, and then be at the mercy of these large farmers who should dictate to them the prices at which they should let the land. He did not think Parliament should encourage such objects. Under the present system a landlord was enabled to do much for his smaller tenants, by giving them credit, enabling them to reap an entire crop, and to turn it into money before paying their rent, but this he would not be able to do if the Bill now before their Lordships became law. He could easily understand the large farmers pursuing this course for their own benefit; but he was sorry to say that a great many of the smaller farmers were so blind to their own interests as to be as clamorous for a change as the large farmers. He did not wish to see the Bill hung up until after the 30th of April; but he believed that the House of Commons would be so much engaged in business of another character when the Bill should go down there, that the measure really would be hung up until after that date. He was glad to hear that the noble and learned Lord (the Lord Chancellor) had consented to give protection to existing rights under existing leases, and he considered that the provision regarding registration had been deprived very much of its sting, in consequence of publication not been insisted upon. The change proposed by the present Bill constituted the full extent to which he could go in modifying the law of hypothec, and any attempt to do away with that law altogether would meet with his most strenuous resistance.

The Earl of AIRLIE said, that after the explanation of the noble and learned Lord he was not disposed to offer any opposition to the Bill, but would be glad to see the concession made in the fourth clause extended to the fifth.

On Question, *agreed to;* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Tuesday* next.

House adjourned at Seven o'clock, till Monday next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 1, 1867.

MINUTES.]—Select Committee—On Public Accounts, Mr. Bouverie *discharged*, Mr. Hankey *added*.

Supply—*considered in Committee*—£56,788 5*s*. 6*d*., —Excesses on Grants.

Public Bills—*Ordered*—Factory Acts Extension; Hours of Labour Regulation; Religious, &c., Buildings (Sites); Oyster and Mussel Fisheries.*

First Reading—Factory Acts Extension [62]; Hours of Labour Regulation [63]; Religious, &c., Buildings (Sites) [64]; Oyster and Mussel Fisheries * [61].

Third Reading—Trades Unions* [58], and *passed*.

GAS AND WATER BILLS.

RESOLUTION.

Colonel WILSON PATTEN moved the following Resolution:—

> "That it be an Instruction to the Committee of Selection that they have power to refer every Gas and Water Bill of the present Session, except those relating to the Metropolis, against which a Petition indorsed for hearing before the Referees has been presented, to the Court of Referees instead of to a Committee of the House, with power to the Referees to inquire into the whole subject-matter of the Bill, and to report the Bill, with or without Amendments."

Mr. WALDEGRAVE-LESLIE said, that he did not rise to offer any opposition to the Instruction, but to throw out a suggestion to the hon. and gallant Member. By the present practice of Committees on Private Bills, it is not competent for a Select Committee on a Private Bill, whether opposed or unopposed, to make any inquiry into matters which by Standing Order No. 92 were ordered to be inquired into by the Court of Referees. In this way several Bills passed through the House with too little inquiry as to the engineering merits of the scheme. Sometimes inhabitants of a town or parties interested did not like the expense of opposing a Bill, and thus schemes of very inferior merit often passed into law. The suggestion he would like to make was, that every Private Bill, whether opposed or unopposed, should be referred to the Court of Referees for inquiry as to the matters detailed in Standing Order No. 92. That Standing Order required the Referees, in the case of all opposed Bills, to inquire into the engineering details and efficiency of the works, and the sufficiency of the estimate for all railways, &c.; also in the case of Waterworks Bills, into the proposed source of supply, the quality of water, and the storage reservoirs; and in the case of Gas Bills, into the quality of the gas, its supply and price, cost of production, &c. He merely wished to throw this proposal out as a suggestion to the hon. and gallant Member as Chairman of the Select Committee on Standing Orders.

Colonel WILSON PATTEN said, that if his hon. Friend would bring the matter forward before the Standing Orders Revision Committee, they would be very glad to consider the suggestion.

Resolution *agreed to.*

Instruction to the Committee of Selection that they have power to refer every Gas and Water Bill of the present Session, except those relating to the Metropolis, against which a Petition indorsed for hearing before the Referees has been presented, to the Court of Referees instead of to a Committee of the House, with power to the Referees to inquire into the whole subject-matter of the Bill, and to report the Bill, with or without Amendments, to the House.—(*Colonel Wilson Patten.*)

METROPOLIS—BUNHILL FIELDS CEMETERY.—QUESTION.

MR. REMINGTON MILLS said, he wished to ask the Judge Advocate General, If, when the present lease of the ancient Burial Ground of Bunhill Fields to the Corporation of London expired, it is the intention of the Ecclesiastical Commissioners to preserve it inviolate and in perpetuity, together with the vaults and graves, and to provide for its future maintenance in decent order; if so, whether it is intended to promote a Bill in Parliament for these purposes?

MR. MOWBRAY: Sir, in answer to the Question of the hon. Member for Wycombe, I have to say that it has throughout been the intention of the Ecclesiastical Commissioners, and still is the intention of those Commissioners, to preserve the ancient burial ground of Bunhill Fields inviolate and in perpetuity, together with the vaults and graves. This intention will be found fully expressed in a Correspondence which will be on the table of the House in a few days. With respect to a provision for its future maintenance, I have to inform the hon. Gentleman that some questions are pending between the corporation of the City of London and the Ecclesiastical Commissioners, on which the Commissioners have twice offered a reference to arbitration, which has not been accepted. Till we receive the answer of the corporation of course I can give no further reply. With regard to the last question, it is not intended to bring any measure on the subject into Parliament during the present Session. The Commissioners had no intention to devote the ground to any other purpose than it had always been devoted to.

JURYMEN (METROPOLIS)
QUESTION.

MR. ALDERMAN LUSK said, he wished to ask Mr. Solicitor General, If his attention has been called to the length of time Jurymen in the Metropolis have frequently to wait before they are called on the trial for which they are summoned, to the inconvenience of their having three or four summonses for different courts in one week, and to the frequency with which the same persons have to serve; and, if so, whether it is his opinion that a measure could be devised to fix the day when Jurymen are actually required to attend, to make the fees of Special Jurymen more in accordance with the time they are compelled to serve, and if it would not be to the public interest that trials should be shortened?

THE SOLICITOR GENERAL replied, that his attention was directed almost daily to the time that jurymen in the metropolis had to wait before the trial was called on for which they were summoned. This, however, was unavoidable. Special jurors were summoned to try a particular case, and if the preceding cases occupied much time the jurors were obliged to wait. As to the inconvenience of having three or four summonses for different courts in a week, that arose from the existing state of the law. In London and Middlesex juries were summoned for particular cases. In the rest of the country the law was different. When the law was altered in 1852 as to the mode of summoning juries in the provinces it was allowed to remain as it was in London and Middlesex. As to the frequency with which some persons were summoned to serve, that also arose from the state of the law. In his opinion, no measure could be devised to fix the day when jurymen were actually required to attend, because the time when any trial would take place must depend on the time which the cases preceding it in the list occupied. As to making the fees paid to special jurors more in proportion to the time they were compelled to serve, he would remark that special jurors were paid a guinea each trial. It would be easy to fee the special jurymen higher; but however easy it might be, it would not be a measure of justice unless something were also done in the way of paying common jurymen, who now received only 8*d.* per cause. And although a guinea was the proper fee payable to special jurors, he knew a case — the celebrated Windham trial — where each special juror received thirty-five guineas for thirty-five days' attendance. As to shortening the duration of trials, his opinion was that it would not be expedient to shorten them. The complaint generally was, that trials were not too long, but too short. Nor did he think it would be for the public interest that trials should be shortened.

SCOTLAND—ROAD REFORM.

QUESTION.

Sir ROBERT ANSTRUTHER said, he would beg to ask the Secretary of State for the Home Department, Whether the Government have any intention of introducing any general measure of Road Reform for Scotland during the present Session?

Mr. WALPOLE said, in reply, that he was not aware that any measure for road reform in Scotland would be likely to lead to a satisfactory result.

NAVY—TENDERS FOR GUNBOATS.

QUESTION.

Mr. HENDERSON said, he would beg to ask the First Lord of the Admiralty, Whether Specifications for building Iron Gunboats and other Ships of War are not being prepared; and whether it is the intention of the Admiralty to invite Tenders from the builders on the Thames exclusively, or whether builders in other parts of the kingdom will have the opportunity of tendering for such vessels?

Sir JOHN PAKINGTON: My answer, Sir, to the Question of the hon. Member for Durham is this—it is the intention of the Government, in moving the Navy Estimates, to propose the building of two iron gunboats; and the specifications are now being prepared, so that we may receive the tenders as early as possible. This course has been taken on account of the great distress which has been found to prevail among the shipbuilders in the East of London, and with the object that, if Parliament sanction the building of those ships, the companies on the Thames may, as early as possible, prepare for work. This is the course the Admiralty are taking; but it is not the intention to confine the tenders to the Thames companies only. On the contrary, it is intended to call on all the shipbuilders, usually called on, to send in tenders, and the most satisfactory ones will be selected.

Mr. HENDERSON: Is the right hon. Gentleman aware that as great distress prevails among those engaged in the iron trade as among the shipbuilders on the Thames?

Sir JOHN PAKINGTON: I think I can say that no favour or partiality will be shown to the builders on the Thames over those anywhere else.

GOVERNMENT PRISON CLERKS.

QUESTION.

Mr. Alderman LUSK said, he wished to ask the Secretary to the Treasury, Whether the Petition from the clerks in the various Government Prisons, praying for an increase of salary, as sent to the Directors of Convict Prisons on the 19th of November, 1866, has been forwarded to the Treasury; and, if so, whether an answer may soon be expected, or if its prayer will be granted?

Mr. HUNT said, in reply, that the petition had been sent to the Treasury at a much later date, and had not come under his notice until the Estimates for the year 1867-8 had been closed. It required to be referred to another Department before coming to the Treasury for decision.

PARIS UNIVERSAL EXHIBITION AND MUNITIONS OF WAR.—QUESTION.

Mr. BERESFORD HOPE said, he would beg to ask the Secretary of State for War, Whether all or any portion of the Munitions of War, including machinery, have been shipped for or otherwise transmitted to Paris for the purposes of the Great Exhibition in that city; and, if so, at what date such transmission took place, and by whose authority?

General PEEL: The Question, Sir, respecting the exhibition of munitions of war was decided before I became Secretary of State for War. The War Department had been requested by the Commissioners of the Exhibition to make a selection of those munitions which they desired to have exhibited. In consequence of that, contracts were entered into for the conveyance of the munitions; the contracts were concluded on the 14th of February; the vessels arrived in the Thames on the 21st of February, and commenced lading. A question was raised in this House as to the propriety of exhibiting munitions of war, and if any notice had been laid upon the table of the House I certainly should have taken upon myself to delay the departure of the vessels until the question was decided. As the contracts had been entered into, and no notice on the subject had been given in this House, the vessels sailed on the 28th of February.

SUPPLEMENTARY ARMY ESTIMATES.

QUESTION.

CAPTAIN VIVIAN said, he would beg to ask the Secretary of State for War, When he proposes to lay the Supplementary Army Estimates upon the table of the House? He wished also to know, whether he was to understand from a reply of the right hon. Gentleman on a former evening that he declined, under any circumstances, to lay upon the table the Report of the Committee on the Land Transport Corps?

GENERAL PEEL: I propose, Sir, to lay the Supplementary Army Estimates on the table on Monday next. With regard to the Report of the Land Transport Committee, my answer was that that Report had not yet reached me, and until I had seen it myself I could not say whether it should be laid upon the table or not.

WAR IN THE RIVER PLATE.

QUESTION.

MR. LAIRD said, he would beg to ask the Secretary of State for Foreign Affairs, When the continuation of the Correspondence relative to the war in the River Plate may be expected to be laid upon the table; and if the Mediation of Her Majesty's Government has been solicited by either, and which, of the belligerents, and with what result?

LORD STANLEY: The Correspondence to which my hon. Friend refers is now in the hands of the printer, and I hope to be able to lay it on the table in a few days. The mediation of Her Majesty's Government has not been solicited by either of the belligerents.

DISTURBANCES IN IRELAND—THE "CORK HERALD" REPORTER.

QUESTION.

MR. O'BEIRNE said, he rose to ask the Chief Secretary for Ireland, Whether it is true that a reporter employed by the *Cork Herald* newspaper was arrested at Killarney, and has been imprisoned, and is still in close confinement, because, in the discharge of what he considered to be his duty, he offered for transmission by Telegraph a message bearing the heading "Disaffection amongst the Military;" and, if it be true, by what legal authority that arrest has been made?

LORD NAAS: Sir, on the 20th of February a telegram was taken to the telegraph clerk at Killarney to this effect—

> "Rumoured disaffection of troops. Officers heard men singing songs with civilians. Removed by police. Military sent to quarters. Fourteen soldiers missing this morning. A wire cut last night at Cluanmullane."

I need hardly assure the House that with the exception of the last—the cutting of the telegraph wire—the whole was entirely false. On this message being taken to the magistrates by the person charged with the conduct of the telegraph at Killarney, the magistrates thought it their duty to order the arrest of the person who was proved to have sent the telegram. It turned out that the gentleman's name was Tracey, and that he was a reporter of the *Cork Herald*. The magistrates considered that this person, in sending this message, had been guilty of a very serious offence against the law of the land; and they committed him to take his trial at the ensuing assizes. Bail, however, was offered on his part and accepted. As the trial is pending, and as this gentleman has given notice of his intention to take action at law against the magistrates for false imprisonment, I am sure the House will feel that I should exceed my duty if I expressed any opinion on the transaction.

NAVY—COURTS MARTIAL.—QUESTION.

MR. HARVEY LEWIS said, he would beg to ask the First Lord of the Admiralty, Whether the sentence passed by the Court Martial on John Hawkins, of Her Majesty's Ship *Cherub*, on the 30th November last, has been approved by the Board of Admiralty, and if the opinion of the Legal Adviser of the Admiralty has been taken thereon; whether the attention of the Lords Commissioners of the Admiralty has been called to the sentences recently pronounced by Naval Courts Martial; and, whether it is in contemplation to issue any regulations with regard to the scale of punishments in future?

SIR JOHN PAKINGTON: I have, Sir, to state, in answer to the Question of the hon. Member for Marylebone, that the attention of the Board of Admiralty was called on the 8th of February to the court martial to which he has now referred, and by direction of the Board this Minute was passed—

> "Their Lordships have to call attention to the extreme severity of this sentence, which the facts elicited at the trial did not justify; and under

the circumstances their Lordships have directed that the future imprisonment shall be cancelled."

As to the other Question of the hon. Member, whether the attention of the Admiralty had been called to the sentences recently pronounced by Naval Courts Martial, I have to state that in the course of the last autumn the very serious attention of the Board of Admiralty was directed to the sentences of the courts martial. And in answer to the last part of the Question, whether it is in contemplation to issue any regulations with regard to the scale of punishments in future, I can hardly say it is in contemplation, because early in last December a confidential circular was issued to the Commanders-in-Chief and the captains of ships, calling attention to the severity of the sentences, and expressing an opinion that their severity ought to be relaxed.

REPRESENTATION OF THE PEOPLE.

QUESTION.

Mr. WHITE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether, in the preparation of the promised Reform Bill, the practice adopted in 1858 of availing himself of the services of the professional agents of the Conservative party, in lieu of the ordinary advisers of the Government, will be followed, seeing that such a mode of procedure led to a cost of £3,608 17*s*. 2*d*., as per Treasury Minute of June 13, 1859?

The CHANCELLOR of the EXCHEQUER: I am sorry, Sir, to say that the hon. Gentleman the Member for Brighton is under an erroneous impression as to the ordinary Advisers of Her Majesty's Government in drawing Bills. I regret to say that at the Treasury at the present moment there is no equity draughtsman who can assist the Government in that respect. There ought to be one; and I made an offer this year to one of the most distinguished men in the profession; but so great is the reward which first-rate professional talent now commands, that the application of the Government was fruitless, and I did not think myself justified, though the sum offered was considerable, in increasing that offer. The hon. Gentleman perhaps had in his mind the case of Mr. Thring, a very eminent man, who is usually employed professionally in drawing Bills for the Government. The appointment really filled by Mr. Thring is that of standing counsel to the Home Office, though he is employed mainly in drawing up Government Bills. But Mr. Thring is so over-worked just now, and such considerable appeals have been made to his energies, owing to the number of Bills introduced by Her Majesty's Government, that we have been obliged to give him extra assistance, and to ask him to undertake the work of draughting a Reform Bill, in addition to the labours which already overburden him, would be almost an insult. I trust the House will feel that the Government are not asking for too much confidence when they hope that the House will allow them to select the best talent they can procure to perform the work now in hand; and I will not therefore dwell further upon that point. With regard to the sum mentioned by the hon. Member of £3,600, which appears in the Treasury Minute as the cost of the Reform Bill of 1859, I would observe that that sum really includes, besides the cost of drawing the Bill, which was comparatively small, the payments made to some of the most eminent statisticians and men of science, whose services were engaged in procuring facts and information upon the subject of Reform. I can assure the hon. Gentleman that if he believes that £3,600 is an extravagant sum for the preparation of a Reform Bill, he labours under a very erroneous impression. To my knowledge there have been other Reform Bills which have cost much more than £3,600. But I am sure the House will never grudge payment for any conscientious efforts in this direction. I believe I am right in stating that owing to the accumulated information now at our disposal, the cost of the present Reform Bill will amount to a sum which will quite satisfy the hon. Gentleman.

Mr. GLADSTONE: I wish to put a question to the right hon. Gentleman arising out of the answer he has just given to the question of the hon. Member for Brighton, and also respecting an entirely different point. The right hon. Gentleman has not merely dealt with the right of the Government, which is undeniable, to engage the services of any gentleman they may select for any particular task, but also with their right to appoint a new draughtsman of Bills, who is to stand in an official relation with the Treasury. Now, I think the House would wish to receive from the right hon. Gentleman an assurance that in making any such appointment he will be careful to make it known that any title which any gentleman may obtain from such an appointment, and the salary connected with it, will be subject entirely to the judgment of this House. The other point to which I wish to refer has reference to a misapprehension existing on a subject of great public interest—I mean respecting the time when we may anticipate the introduction of the Government measure relating to the amendment of the Representation of the People. On Tuesday I understood the right hon. Gentleman to say that he could not then name a day for the introduction of that Bill, but could state with tolerable confidence that it would not be later than Thursday in next week. I have understood from other sources that last night an assurance was given that before the right hon. Gentleman introduced such a Bill, he would give notice of the day. Perhaps the right hon. Gentleman will have the kindness to say in what way these different versions are to be reconciled, because great anxiety prevails upon a subject of so much importance. I think I have stated clearly the two versions, and I hope that the first of them is accurate?

THE CHANCELLOR OF THE EXCHEQUER: The two statements I made were, I think, perfectly consistent. I hoped that I might be able to introduce the Bill on Thursday, but I particularly guarded myself on that subject. The right hon. Gentleman said—as I thought, courteously and fairly—that it was a business in which a Minister ought not to be bound to any particular day. Yesterday there was some conversation in the House on the subject. I said that fair notice should be given; and I propose on Monday next to name the day on which I will bring forward the Bill.

SUGAR DUTIES.—QUESTION.

MR. GLADSTONE: With a view to remove misapprehension in the public mind, although I myself am under the impression that a perfectly clear account was given on the subject, perhaps the Secretary of the Treasury will answer a Question with respect to the operation of the new system of duties and drawbacks upon sugar. From a telegraphic message I have received to-day from Hull, it appears that those concerned in the sugar trade there are not aware of the effect or the reason of the delay in bringing into operation that system; and perhaps the hon. Gentleman will have the kindness to repeat the information which he has given in this House, and which appears not to have been quite accurately conveyed?

MR. HUNT: Last night, Sir, in moving the postponement of the Bill on this subject, I stated the present position of affairs with regard to the operation of the sugar duties and the reason for delaying the Bill at present. I said that by a Minute of the Conference, which was agreed to in September last, it was arranged that the new scale of duties and drawbacks then adopted should come into operation on the 1st of May, or at an earlier date, in case Great Britain should then have obtained Legislative powers to make these alterations. In consequence of that arrangement we supposed that the only delay likely to arise was the delay in procuring a Legislative sanction in this country; and we believed that the other Powers were immediately in a position to give effect to the Convention. But on our taking steps to submit a measure on the subject, we communicated the Resolutions in the first instance to the other Powers, and we learned there would be some delay on the part of Holland, though France and Belgium said they would be willing to give effect to the Convention on the very earliest day. The result of the communications since made is that the Dutch Government say that, under no circumstances, will they be able to carry out the alterations before the 1st of April, and that if they come into effect then, they must be accompanied by certain conditions as to floating cargoes. We have not been able to apprehend the exact nature of those conditions, and further communications have been made to the Hague on the subject. It must be clearly understood, then, that under no circumstances can the alteration take effect before the 1st of April, and if these conditions are such as cannot be agreed to by the other Powers concerned, there is every probability that the alteration will not take effect until the 1st of May.

MR. GLADSTONE: I hope the hon. Gentleman will inform the House promptly of any communication that he may receive on the subject.

MR. HUNT: I have already promised to do so.

NAVY—LIEUTENANT BRAND.

QUESTION.

MR. OSBORNE said, he would beg to ask the First Lord of the Admiralty, Whether he has any objection to lay on the table of the House a copy of the Correspondence that has taken place between the Admiralty and Lieutenant Brand subsequent to his being placed on Half-pay?

Sir JOHN PAKINGTON: Sir, before answering the Question of the hon. Gentleman I must apologize to him and to other hon. Members for my not being in the House yesterday at the time a question on this subject was put. In answer to the hon. Member's Question I have to say, that as soon as Lieutenant Brand landed in this country he addressed a letter to the Board of Admiralty with regard to the rebuke which he had received from them in consequence of his letter to the hon. Gentleman opposite the Member for East Surrey (Mr. Buxton), and I am bound to say that letter was written in very becoming and proper terms. It was ackowledged by the Admiralty, and no further correspondence has taken place. If the hon. Gentleman moves for the letters, they will be produced.

IRELAND—INSPECTORS OF WEIGHTS AND MEASURES.—QUESTION.

Mr. BRUEN said, he wished to ask the Chief Secretary for Ireland, Whether it is the intention of the Government to recommend that compensation shall be given to the county inspectors of weights and measures for the loss of their office, of which they have been deprived by Act of Parliament?

Lord NAAS replied that on the transfer of the inspection of weights and measures from inspectors appointed by grand juries to the constabulary, a proposal was made to give compensation to those officers. It was, however, negatived, and he conceived that were the proposal renewed it would not be likely to receive the sanction of the House.

Mr. BRUEN said, that he should therefore bring the Question forward on a future day.

DISQUALIFICATION OF CROWN OFFICERS.—QUESTION.

Mr. Serjeant GASELEE said, that as he understood the Chancellor of the Exchequer contemplated the appointment of a Draughtsman to the Treasury, he wished to know, Whether the right hon. Gentlemen proposed to exempt him from the operation of the Statute of Anne, disqualifying Officers under the Crown from sitting in Parliament?

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

IRELAND.

RELEASE OF JOHN MORRIS.

MOTION FOR PAPERS.

Mr. BRUEN said, that in this instance the policy of extending leniency to the minor offenders, and being more severe upon the leaders of the Fenian movement, had not been observed. It was well-known that Morris was a head centre of the Fenians in Carlow, and that he had been most active and energetic in fomenting discontent in that district. It had been proved on the evidence of two witnesses at the trials of Luby and Moore, before the Special Commission, that Morris had received fifty pikes on an order in the handwriting of Stephens, and that he had taken these pikes with him by train, and had been called upon to pay excess of luggage upon them. There was at this moment in the hands of the Irish Government a ledger containing the names of all the persons to whom pikes had been delivered on the order of Stephens, and in this list the name of Morris appeared. In consequence of this evidence, the arrest of Morris was determined upon, and a reward of £50 was offered for his apprehension, the amount being subsequently increased to £100. The people of Carlow, anxious to show their loyalty and support the Government, raised by public subscription £177 to supplement the reward offered by the Government. The result was the apprehension of Morris in the spring of last year, he having been arrested with some difficulty and committed to Mountjoy Prison. In the month of August last the Government communicated with the magistrates as to the course that ought to be pursued with reference to Morris, and their advice was that Morris should be brought to trial. This advice, however, was disregarded, and a few days afterwards Morris was placed on board a steamer for America, and a free passage given to him in order that he might assist in cutting the throats of our esteemed friends the Canadians. It was not for him to cast any blame on the Government, because he believed that the release of Morris was the act of a subordinate, without the knowledge or consent of the noble Lord the Secretary for Ireland; but it was evident that the magistrates had been grossly snubbed, that a failure of justice had taken place, and that there were sufficient grounds for further inquiry. He could not believe that that the Irish Law Officers had advised the exercise of such dangerous leniency. The best way of clearing up the matter would be by the production of the papers asked for.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "there be laid before this House, a Copy of the Opinion of the Law Advisers of the Crown in Ireland relative to the release of John Morris, lately a prisoner, arrested on a charge of Treason-felony and Fenianism,"—(*Mr. Bruen,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Lord NAAS said, it was perfectly true that Morris had been a man of considerable importance, and had been connected with the Fenian conspiracy. He was consequently arrested and underwent a certain amount of imprisonment; but the Attorney General for Ireland being of opinion that it would be well to accept the offer which he made and to release him on condition of going to America, he was released in the same way as a number of other prisoners equally guilty. The Government had always acted on the principle that persons arrested under the Lord Lieutenant's warrant should not be kept in confinement any longer than the public safety required. Such persons were not arrested for the purpose of punishment, but as a preventative measure, in order to secure the preservation of the public peace. His hon. Friend was in error in supposing that a free passage to America had been given to Morris or to any of the released prisoners. No assistance was given to them either by the late or present Government, and they had invariably gone out at their own expense. Many others would have accepted the alternative of the Government sooner had they possessed the means of paying their passage. He was sorry he could not accede to the request of his hon. Friend to produce the opinion of the Law Officers. The arrest and discharge of Morris were equally effected on the responsibility of the Irish Government, and it would not be proper that the reasons which induced the Government to issue Lord Lieutenants' warrants should be made public. All he could say was that the Government acted upon each case on its own merits, and in deference to the opinion of those best qualified to advise them on the subject.

Mr. CONOLLY said, he thought the documents ought to be produced to satisfy the House of the prudence of the step taken. There was one point which the noble Lord had omitted to notice—namely, that Morris, who had promised to remain in America when he went thither, had now, in spite of that undertaking, returned to Ireland, or at least to some part of Her Majesty's dominions. This fact had been substantiated, and ought to be brought under the notice of the Government, for it certainly suggested the inference that there had been some negligence in this instance in granting Morris his liberty without taking a sufficient guarantee that it should not be abused.

The ATTORNEY GENERAL for IRELAND (Mr. Morris) said, that he thought it would be highly improper if confidential communications of this character were to be laid before the House. The hon. Member for Donegal (Mr. Conolly) had informed the Government that Morris had returned to this country. As far as the Government were concerned, they had no knowledge of the circumstance, nor had they any reason to believe that Morris was in any part of the United Kingdom. If the hon. Member for Donegal could furnish the Government with precise information on the point they would be glad to avail themselves of it.

Mr. KER: If Fenianism that has been over-riding the country is to be put down it will not be by allowing the leaders to escape and go to some other point more convenient for their designs. I cannot refrain from expressing my deep regret that the Government should have allowed these men to go free, and that you did not, when you had caught them, keep them. When you catch rats—

Mr. BRUEN said, that in the face of the opinion expressed by the noble Lord the Secretary for Ireland he could not persevere in his Motion.

Amendment, by leave, *withdrawn.*

LIGHT AND AIR TO ANCIENT WINDOWS.

OBSERVATIONS.

MR. GOLDNEY said, he rose to call the attention of the House to the existing state of the Law as regards the right of access of light and air to ancient windows, and to the necessity of providing by Legislative enactment some means by which owners of property, under proper regulations, and on payment of compensation, if necessary, may be enabled to increase the height of their buildings. It appeared that so far back as the reign of Richard the First it was anticipated that the City of London would become overcrowded with buildings, and from that time till 1834 there was a custom which enabled the owner of a house in the City to raise it to any height he pleased, notwithstanding his doing so might diminish the access of light and air to adjoining tenements. A jury of twelve aldermen, with the Lord Mayor as Assessor, were to sit and determine the rights of the parties. But in 1834 an Act was passed which gave the owners of property a right to a perpetual injunction to prevent any diminution of the access of light and air to their property. This question was one of considerable importance, owing to the constantly increasing pressure for increased extent and accommodation of buildings in the metropolis, and the consequent necessity that was felt more and more of increasing the height and improving the character of ancient buildings. The law as it at present stood was such that persons anxious to improve and heighten their buildings were at the mercy of their immediate neighbours, and most extortionate demands were commonly made when any alterations of this character were contemplated. When the Act of 1834 came into operation the difficulties which now existed began to arise, and it has been held by Lord Westbury that when any window of a dwelling-house shall have been actually enjoyed for a period of twenty years without interruption, the right to such window shall be absolute and indefeasible. The difficulties to the public arose in this way. Supposing a man to have only a small window, admitting only a comparative small quantity of light, and another, in order that he might alter his house or premises, wanted him to enlarge his light, the law said you shall do nothing that can compel a man to enlarge his window unless he chooses. Suppose a person wishing to build said to the owner of a small window, "If you will enlarge your window, or do anything that will bring in rays of light, and will at the same time allow me to erect a building near your property, then you will not suffer from any diminution of light and air, but will obtain a greater access of them." The owner of the small window might refuse unless a very large pecuniary compensation was given to him. A case came before Vice Chancellor Wood, and the answer given by the Court was, the plaintiff cannot be compelled to make any alteration in his house to enable another to deal more advantageously with his own property. On that decision a party owning a small window could make terms advantageous to himself. In a work recently published, he found in the preface this extraordinary statement—

> "Since the demand has arisen for new and enlarged buildings, the right to window lights has become of considerable pecuniary value."

That was to say, a person having a small light was not held to have it as an enjoyment for himself, but as of large pecuniary value; because, unless a large pecuniary compensation was given, he would go to the Court of Chancery, and prevent any one erecting a building which should have the effect of diminishing that light. But the law extended not only to adjoining property, but to property on the other side of the street. Supposing a street to be twenty, twenty-five, or thirty feet wide, if it could be shown that by any building on one side the area of light did not come at its original angle, an application could be made to the Court of Chancery to restrain anything from being done, and there were cases where half a street had been stopped from anything like improvement. Some few years ago it was necessary for a man to go to a Court of Law to have his rights determined by a jury; but now a Court of Equity could deal with the legal rights of the parties, and a person might obtain a perpetual injunction. The Building Act did not provide any safety-valve; for even supposing an order to be made by the district surveyor, a man might still apply to the Court of Chancery. Suppose two building plots, of 100 square yards each, were purchased by two persons, and that one of the plots let very quickly to builders, while no buildings were raised on the other plot for a period of twenty years. Under the present law, the owner of the latter plot could be prevented by a perpetual injunction from raising buildings which would interfere with the access of light and air to buildings raised on the former plot. The law in France was different. An owner there could not acquire any right against an adjoining owner without giving him notice; and if he did acquire any such right it could always be restricted to six feet directly and two feet laterally. The consequence was that large decorative and other improvements were continually going on in Paris. He did not want to give any man the power to injure his neighbour. What he wished to do was this — that as there was an absolute necessity for carrying up buildings, so as to give a greater amount of accommodation to the mercantile public, any injury should be compensated by damages and not by a perpetual prohibition. If the House was in the habit, for the public convenience, of granting to railway companies the right not only to shut up lights but to take property, surely some plan might be devised for settling the cases to which he had referred by means of a jury. The suits instituted for the purpose of preventing an interference with light and air occasioned lengthy discussions on the difference between perpendicular light and lateral light, and the Court itself was sometimes puzzled to know what sort of a decree it should make. If his suggestion were adopted such discussions would be avoided. He wished to know whether the Government thought it was possible to prevent litigation on this subject by bringing forward a measure? If it was thought desirable he would move for a Select Committee on the subject.

THE ATTORNEY GENERAL said, it would be impossible to accede to any such Motion. The subject was no doubt one of growing importance; but he thought it had been somewhat exaggerated by his hon. Friend. It should be borne in mind that the law was carefully considered and settled so late as the year 1834. In the City of London, up to that time, there was a custom that tenements might be built upon old foundations to any height without regard to other people's light. That was greatly complained of, and it was thought proper to abolish that custom. The owner of a tenement had a right to a certain amount of light, and if he had enjoyed that light for twenty years it was his property. Of course, if the interests of the public required it, the right might be taken away on payment of compensation. No doubt there must be some cases of hardship under the present state of the law; but he thought it would be unreasonable in an offhand manner to unsettle what had so lately been, after full consideration, settled. It was impossible either for a Select Committee or the Government to take the subject into consideration during the present Session; and he therefore trusted that the hon. Gentleman would not press the matter further. In another Session, perhaps—if the hon. Member again introduced the subject—the matter might be fully considered.

EXPORTATION OF COOLIES (EAST INDIES.)—OBSERVATIONS.

MR. BAILLIE COCHRANE: I rise, Sir, to call the attention of the House to the exportation of Coolies from the East Indies. There is no doubt a great difficulty in calling the attention of the House to a question of this nature, seeing that it does not possess any political interest, and is of long standing; but if the House will grant me their attention for a short time, I think I shall be able to show that the subject is one of the saddest and most melancholy interest, and one well deserving the attention of the country. It affects the lives of a great number of persons, who, although not our countrymen, have a claim upon us to the fullest protection. At one time we encouraged the slave trade. We afterwards abolished it at an immense cost. Since the abolition of that trade, we have kept up a large force on the coast of Africa at an expense of nearly £1,000,000 a year, for the purpose of suppressing the slave trade. But, whilst we have been incurring that heavy expense we have been encouraging, promoting, and developing a system of what is called free labour, in the shape of emigration from the East Indies, which is nothing more than the slave trade in another shape. The system is objectionable on another ground. At this very moment—I believe the noble Lord (Viscount Cranbourne) will bear me out in the statement—labour is wanted in our Indian dependencies, especially in Bengal, and all this time we have been promoting the system of free labour emigration. When we abolished the slave trade, and made the Negroes free, the natural result was that they would not work, and it was therefore impossible to cultivate the plantations in the West Indies. To meet that evil the Government promoted the system of exporting coolies from the East Indies. When colonies state what number of labourers they require, an officer is appointed in the East Indies to collect these labourers, and ship them to the different colonies with all possible despatch. If there be a demand for labour in one place and a superabundance in another, it might naturally be expected that it would find its level. The system of emigration from the East Indies, on conditions which bind the labourers to periods of servitude for three, or five, or seven years, is open to very great evils and abuses. What is the manner in which these poor people are induced to emigrate? Officers are appointed to collect them together, and they are induced to embark on this venture by the most illusive promises. Their credulity is imposed upon by the picture of an El Dorado, which it is represented to them they will find on their arrival at their destination. Having by these means been brought together at some establishment at Calcutta, not more than five days are allowed them before they are shipped off to the colonies, and, no doubt, when they arrive there theoretically their rights are secured to them, and if the persons to whom they are articled do not fulfil their obligations they have the power of appeal to the magistrates. But it should be recollected that the appeal is to the magistrates of the Province where the plantations are situated; and, in one instance, where a number of the workpeople, including several women, made a complaint to a magistrate at Durban, in Natal, because they ought to have complained to a magistrate in the district where the planter lived, they were not admitted, and afterwards the overseer came into the town, tied them to carts, and flogged them back again to their own district. Although they are surrounded with rights, yet, owing to their ignorance and their inability to understand their rights and privileges, they are of little or no value. It may be said that these are exaggerated statements; but there is one point which admits of no such accusation, and that is the treatment which these poor people experience on shipboard, and the conduct of the officers in India, in shipping them in vessels which they charter for the purpose of conveying them on these "voyages of death," as they are called in India. The official Report for 1864-5 contains the following figures:—

	Coolies shipped.	Landed.
1st Ship..	457	420
2nd „	490	435
3rd „	585	392
4th „	431	343
5th „	454	311
6th „	398	250
7th „	491	195
	3,306	2,346

This statement shows that nearly one-third died on the passage, and great numbers died soon after their arrival from weakness and sickness. Surely such a state of things is deserving of the attention and consideration of the House and the Government. Now let us inquire into the causes of this state of things. The object of the officers is to secure a ship as cheaply as possible, and the consequence of the system was the fearful loss which occurred only eighteen months ago. All these things, notwithstanding their importance, attract little or no attention. Yet we are responsible for them if we approve them. But I will give you one more instance. The *Eaglespeed*, with a number of coolie emigrants on board, was wrecked the day after she set out, she not being a seaworthy vessel, and the loss of life was 262 souls. It is a remarkable fact, however, that none of the Europeans were missing. The Report upon that case points out some of the evils with which we should grapple. It appeared that both the emigration agent and the protector repudiated any responsibility in the matter. They both said they had nothing to do with the crew of the vessel and could not be held responsible. The wonder is, under such circumstances, that the loss of life in cases of this kind is not much greater. There were no life-buoys in the ship, although five had been provided, and the number of emigrants embarked was 425. The Report finds, with regard to the protector, that he was quite in error as to the scope of his duties, and then we come to another part of the Report, which is one of the most striking things I have ever read. Here you have a ship sinking the day after she sails, and 262 lives are lost; and on an investigation being made into the circumstances of the wreck, it is found that the chief officer of the ship was sick at the time, and did little or nothing; that the doctor was suffering from an attack of pleurisy, and therefore did nothing; that the second officer was sober, but suffering from the effects of liquor; that the boatswain had jammed his finger, and was in a great measure off duty; that the captain saved his own life, but did nothing else; and that the crew, with two exceptions, behaved disgracefully. It was shown that all the lives might have been saved with proper care; but as it was, the captain and crew left the ship, and 320 souls were left there to perish. The conclusion arrived at in the Report was that the emigration agent and protector failed in their duty; that the captain and doctor erred deplorably; that the second officer and boatswain behaved disgracefully; and that the crew also behaved badly, the only persons on board who behaved well, being two seamen named William Maynard and William Wilson. It may be said that this is an isolated case, and does not prove that other vessels are not properly manned and commanded; but we do not know that, for it is seldom we get so full a Report bearing upon the treatment the coolies receive. In 1859 an interesting article on the subject appeared in the *Revue des Deux Mondes.* It reviewed a work by M. Du Hailly, who said—

> "To him (the planter) the coolie merely took the negro's place, and emigration was no more than a return to the old system; it was—if one may venture to say so—the slave trade of the 19th century."

The same author said—

> "It is curious that emancipation has brought back recruiting for labourers for our colonies nearly to the state of things prevailing before slavery existed as an institution. What virtually is the emigrant but a modification of those white bondsmen of the 17th century who paid for their passage by a three years' surrender of their liberty, and whose sufferings brought to mind the most frightful features of the slave trade?"

A gentleman who has published a work in favour of the system of emigration (Mr. Beaton) writes—

> "The Government, yielding to the popular clamour and the threats of the press, ordered the 656 coolies to be disembarked on Flat and Gabriel Islands, two miserable rocks, a few miles from Port Louis, where no sufficient provision had been made for affording them shelter and food. The condition of these miserable wretches was truly deplorable. The quarantine laws, strictly enforced, forbade them to land—the open sea and the bare rocks offered them only a grave. In the course of a short time the bones of 200 coolies were bleaching on those barren rocks, the victims of creole cowardice and Government mismanagement. This painful mortality created little sensation among the creoles. Cholera had broken out in Port Louis, and they had no sympathy for any suffering save their own."

That cannot be an exaggerated account, coming as it does from a gentleman in favour of the system under which such things are done. Is it possible, then, for us to shut our eyes to the abuses which have occurred in the mode of carrying out this system of free labour? It is an absurdity that we are keeping up a fleet at an expense of £1,000,000 a year to suppress slavery, and that yet we are permitting it in another form, and misleading the poor people who are called free labourers. But what shall we say to the conduct of Earl Russell's Government in entering into a treaty with the French to allow them to take our labourers to the island of Réunion at the rate of 10,000 a year? There is no doubt that in 1858 the French were engaged in the African slave trade at Zanzibar, and that they introduced slavery under a false pretence. The French ship the *Charles et Georges* was taken, and that led to a diplomatic difficulty. They induced labourers, under false pretences, to embark, and then treated them as slaves. We protested. Lord Malmesbury protested in a despatch to Lord Cowley, which would apply equally to our conduct now, saying—

> "Your Excellency is aware that Her Majesty's Government have not altered their opinion as to the analogous nature of the scheme of the French nation for exporting negroes with that of the avowed slave trade."

At that time the Isle of Réunion required 10,000 a year of these so-called free labourers to keep up the supply. Subsequently, in 1860, Lord Russell entered into this Convention with the Emperor of the French, to allow the exportation of these coolies from India to the Island of Réunion, where we could have no control over them. That treaty, I believe, should have expired last year. I asked the late Under Secretary for Foreign Affairs (Mr. Layard) last year on this point, but he wished me not to bring the question forward, as he thought France would not ask to have the treaty extended. I believe, however, that the treaty was extended for another year after all, and whether it expires this year or not I cannot say; but I hope that if it does expire, or has expired, it will never be renewed. There is responsibility enough, and evil enough, for us in what we are doing in our own colonies, without giving other countries power over these unfortunate men. I am asked, "Do you propose to ruin these colonies by allowing no further exportation?" No! I think it would not be difficult to improve our present system, and to repress some of these evils. Some of the recommendations I am about to name to the House have been suggested to me by gentlemen who are perfect masters of the subject—who have themselves lived abroad, and given me accounts of more scenes of sadness and sorrow than I choose to trouble the House with. As remedies for the evils now existing the following suggestions had been made by exceedingly competent authority:—

> "1. That no further extension of the present system be permitted. 2. That the trade in sea-going coolies be more nearly assimilated with that which has been found necessary in Assam and Cachar; and that the severe laws governing the latter, as recently passed by the Bengal Legislative Council, be followed so far as practicable. 3. That after a given period only those colonies should be allowed to recruit Indian labourers as can show an absence of such population as could develop its soil. 4. That no further treaties be entered into giving to any foreign Power the right to recruit in British India. 5. That it should be impressed upon colonial Governments that China affords a large market for available labour, if properly enlisted in that country. 6. That the laws of recruiting in India should be made more comprehensive, and that greater checks should be put upon the exportation of persons not thoroughly comprehending the nature of the servitude they are undertaking."

It has been said that we do not take such an interest in the Chinese coolies; but it should be borne in mind that the Chinese are a very different race to the Bengalees. You cannot treat the Chinese as the Bengalees are treated. The Chinese combine together, and insist upon having their rights; and there is a great contempt of life in China, which leads the men to enter of their own free will and risk the chances. They value their life at so low a rate in China, that I have heard a man sentenced to execution may get a substitute to undergo his fate for him for some twenty or thirty dollars. Then the laws of recruiting in India should be made more comprehensive, and a check should be placed upon the exportation of coolie labour. Those who take charge of the coolies should be bound to give security for their own conduct, and every man taken should be supplied with a ticket upon which is written, in his own language, a statement of the objects of his enlistment, and the name of the place he is to be taken to. Heavy penalties should attach to any man moving a coolie ten miles from his home without having a certificate. These are very simple suggestions; but they are very important. The result, if adopted, will be to secure a better class of men than the miserable crimps now employed in India, and to give the fullest information to the coolies, so that they may know where they are going, and what conditions they are subjected to. The House will see, doubtless, that great hardship is done under the present system, and that British legislation should interfere on behalf of those who cannot defend themselves. I will now leave the matter in the hands of my noble Friend (Viscount Cranbourne), and I am sure the House will think that this is a case of so much hardship and grievance that I am justified in bringing it forward.

MR. ADDERLEY: Sir, the hon. Member for Honiton (Mr. Baillie Cochrane) has attempted to make out a case against the system of coolie emigration from the East Indies such as would induce this House to put a stop to it altogether. [Mr. BAILLIE COCHRANE: No!] The hon. Gentleman says "No;" but he does not seem to be aware of what the result of his proposals would be. The proposal he makes is tantamount to the abolition of the whole system. I quite agree with the hon. Gentleman that, if his view of the case is true, no amount of advantage in the system of coolie emigration would justify such a state of things as that which he believes to exist; but I do not think he has at all made out his case, and from all the information I can acquire he is entirely mistaken on the subject. He began by saying that coolie emigration is only a modified slave trade; but that is a phrase which may be met by a counter assertion—that it is no such thing. The only facts that he has stated in his speech to base this assertion on are cases of very considerable mortality on the voyage between the East Indies and the West Indies, and of shipwreck. He states that the mortality on the voyage is 30 per cent, leaving the House to suppose that that is a fair sample of the mortality on all voyages, and that, therefore, they should be put an end to. It would be just as legitimate an argument to say that the cholera raging at the East End of London, the mortality in that district was ground enough for pulling down the East of London. In the case he has cited, occurring in 1864-5, the mortality amounted to 28 per cent, but that arose from typhus fever, arising from the starvation they came from, breaking out amongst a batch of emigrants. [Mr. BAILLIE COCHRANE: But there were eight ships.] The hon. Gentleman will excuse me; but if he will turn to the page from which he quoted, he will see that the typhus fever raged in all those ships. He asks us, then, to do away with coolie emigration from the East Indies, because the typhus fever broke out on board eight ships in 1864. In the case of the *Eaglespeed* which he quoted, there was no doubt a great loss of life; but the case was investigated by the Courts of Law and also by a Committee of this House, and condign punishment was inflicted on those who were guilty. But is that to be cited as an illustration of the average state of things on board all emigrant ships which carry coolies? It would be too monstrous a state of things to be allowed to continue if it were true, but the real state of things is utterly unlike that. In point of fact, there is no class of British subjects who are so carefully protected as these East Indians, who are elaborately guarded and protected from harm in every way from the outset of their engagement through the voyage, and where they went. The *primâ facie* justice of the system there can be little doubt of. The hon. Gentleman himself allows that there is a great demand for labour in one part of the world, and a great want of employment in another, and it is desirable, for the interests of the world, that the excess in one part should be utilized to supply the deficiency in the other. The hon. Gentleman says that that should be left to a natural process. But no natural process will cause the poor ryots, who are starving on 2*d.* a day in the East Indies, to tumble into the West Indies, where labour is as necessary to the planter as food is to themselves. Steps must accordingly be taken to convey the surplus labour from the East to the locked-up capital of the West. The Act by which this is done was passed in India in 1864 to consolidate and amend seventeen previous Acts passed there since 1839. As it now stands the Act effectually protects the coolies against fraud on the part of those who recruit them. The description which has been given by the hon. Gentleman of the mode of recruiting does not in the slightest degree resemble the real fact. The recruiters who bring the coolies to the ports are licensed and are bound to wear badges. Their licenses must be countersigned by a magistrate, and when a coolie agrees to emigrate it is their duty to take him before a magistrate, and it is the magistrate's duty to explain the matter to the coolie, and to see that he understands what he is about, and whether he wishes to go, and until that is certified by the magistrate he cannot even be taken to the port of embarkation. At each of the ports where this emigration is carried on—Calcutta, Madras and Bombay, Madras being the principal—there is a protector of emigrants, who has most elaborate functions, and is subject to heavy penalties for their non-performance. He has to see that the recruiter accompanies the coolies to the port, and provides them with necessaries on the road until the time of embarkation. There are stringent provisions also against their embarkation if in ill health, and against embarkation at all without a license. The ship is also surveyed before sailing, and the master has to give a bond of £1,000 for the proper observance of the conditions prescribed. I have made careful inquiries at the Emigration Office, and had all the reports diligently searched, and there was not found a single instance of neglect, or evasion of the regulations, in the records of the office. And now as to the French Convention. The hon. Gentleman has most justly stated that that Convention was first entered into in the interest of the negroes. No doubt, it was an inducement to the English Government to supply the French with labourers, on condition that they would cease to take slaves from the coast of Africa. That Convention was made for three years, beginning in 1860, and was continued indefinitely, subject to termination, upon notice on either side, of three months; but no such notice has been given. When the hon. Gentleman talked of 10,000 coolies having emigrated from the East Indies to Bourbon, [Mr. Baillie Cochrane: I was not certain of the number] he adopted a very large figure; but instead of 10,000, I believe the number who now emigrate is not ten. In fact, the emigration has almost entirely ceased. The French did not like the coolies; the scheme was a failure, and, as I have just said, there is no coolie emigration to Bourbon now going on. I have alluded to the protection granted to these coolies in the East Indies at the time of their emigration, and I wish now to show the kind of protection which they receive on their arrival at the West Indies. The emigration takes place almost entirely from Madras, and the coolies go chiefly to Trinidad, Mauritius, and British Guiana. In all the colonies where these emigrants are received laws are passed expressly for their protection—laws which have been carefully drawn up and based upon instructions from the Colonial Secretary at home, and which guard most minutely the interests of the coolies. There are, moreover, agents and sub-agents, who periodically visit the coolies in the colonies, and report to the Governor upon their condition. It is the duty of these agents to see that the regulations are carried out; that proper provisions and medical attendance are provided; that the members of families are not separated from each other; that the hours of labour are limited; that their back passage is secured; and that the indentures are cancelled in cases where the emigrants have been subjected to cruelty or injustice. I can scarcely conceive of better arrangements being made than those at present enforced. It is perfectly true that there have been some disasters lately in the shape of shipwrecks. The Report which the hon. Gentleman quoted from stated that five vessels were lost from 1864 to 1866 inclusive. It must be remembered, however, that one of these was wrecked in a tremendous storm on the Hooghly, which destroyed all the shipping in the neighbourhood. Does the hon. Member ask us to put an end to coolie emigration because a tempest swept away the *Ally?* The case of the *Eaglespeed* I have alluded to. Another vessel put into shore on account of sickness on board, she dragged her anchor, and twenty-six emigrants perished. In another case, there was also a loss of life, and in the disaster of the *Countess of Ripon*, all lives were saved. Taking all together, however, I do not think that these shipping losses have lately been greater than they were in former years. There has certainly, however, been a very great mortality, particularly at the period to which the hon. Gentleman has referred to. But taking everything into account, its average has been nearer 5 per cent than 28 per cent of the number shipped; and last year, although famine was raging in Bengal, and at such a time many emigrants would embark who would be unable to stand the voyage, the average was only 2 per cent, the smallest that had yet been known. This certainly is most creditable as regards the efficient working of our agency. The House must bear in mind that, during a period of distress, such as the famine to which I have alluded, the utmost precautions will not prevent some emigrants being taken on board, who, though seemingly in good health, may, during the voyage, succumb to disease, on account of their bodies being weakened by privation. It is therefore matter for congratulation, and shows how ably our agents discharged their duty, that the mortality was not greater last year when such distress prevailed. I may state here that the agents at Calcutta have recently allotted to the coolies a larger amount of space on board these emigrant ships than was formerly given, in consequence of the mortality which prevailed during some of the voyages. The Act stipulates that only ten superficial feet of space shall be given to each person, but this has been increased to twelve superficial feet. I wish now to call the attention of the House generally to the beneficial effects of this system of emigration. It has been of the greatest possible benefit, both to the coolies themselves and to the planters of the colonies to which they are consigned. Those who have ever been the opponents of the system are the East Indian Government and the abolitionists, who blindly seek to promote the interests of the negro by the adoption of measures which are most detrimental to them. The opposition of the Government of the East Indies is easily explained. They wish to keep these coolies at home and get the benefit of their labour on the lowest terms. But, let me ask, is it fair to keep these men in India, earning wages at the rate of 2*d.* a day, when they can earn 1*s.* per day in the colonies to which they are sent? The coolies were much more slaves at home than where they went. It seemed that Pharaoh wanted to keep his slaves at home, and refused to let them go into the wilderness, where, in this case, they would get better fare. In the East Indies they wanted to keep down the mass of the labourers to the starving point. The very fever which destroyed them on the voyage should be set to the account of the condition they were taken from. When the coolies emigrate their condition becomes, not only physically, but morally improved. From being miserable and dependent creatures they become men, act the part of men, save money to a very considerable extent, and frequently return again, after taking their back passages, to their native land. I should like, while on this point, to quote some figures showing the savings which some of these emigrants have made. In 1859 there were 349 coolies who returned to the East Indies with savings to the amount of £7,496, or at the rate of £21 per head. In 1861 there were 270 coolies who returned with £3,076, being at the rate of £11 11*s.* per head. In another year the savings amounted on the average to £25, and in a second to £28 per head; while sums as great as £12,000 a year have gone back to India in the pockets of these coolies. Another fact, which is perhaps more striking, is the number of these coolies who having returned to the East Indies with money, have gone back again to the colonies where the hon. Member thinks they are so hardly treated. In 1866, 20,362 coolies went from the East Indies to the Mauritius; and of these 717, after returning to the East Indies, went back to the Mauritius because they liked it better. At the present moment there are 246,000 coolies in the Mauritius, the greater part of whom work regularly upon the estates. It is much the same with regard to the West Indies. There are almost as many cases of re-emigration to Trinidad and Demerara. The savings of the emigrants there are also very large, and only 13 per cent of those who go to these islands think it worth their while to return to their native country. The hon. Member has quoted one Report, allow me to quote another. It is the Report of Mr. Underhill, of whom we know something in connection with the recent proceedings in Jamaica. That gentleman, in the year 1860, went out to the West Indies as a Baptist missionary, and reported most elaborately upon the prosperity of the coolies there. The opinion of this gentleman is all the more valuable that his inclinations were all the other way, and that he wished to make out that the coolies interfered with the prosperity of the negroes. He winds up his Report by saying that prosperous as the coolies are they were not more useful to themselves than to the negroes, whose condition has been improved by the importation of the coolies among them. I need not point out to the House that if this system of coolie emigration has been useful to both coolies and negroes it has also been most useful to the planters. Nothing required steady labour so much as sugar cultivation, and since their emancipation, the negroes in our West Indian colonies could not be trusted to anything like the same extent that they were before for such labour. The slightest delay in getting in the crop was fatal; but the planters in many colonies had to trust to the negroes, who were constantly inclined to refuse to work, and he might say that their property had been saved only by the introduction of coolie labour. To abolish the system, therefore, merely because in a particular case two or three crews had been destroyed by typhus fever, and because the *Eaglespeed* had been lost, owing to great carelessness, would be very unwise. The hon. Gentleman proposed, first, that there should be no further extension of the system—what that obstruction and extension meant he did not know; second, that it should be assimilated to that of Assam, which, he himself admitted, he did not understand; and thirdly, that the Indian Government should be allowed to impose checks on the emigration. The result of that, considering their anxiety to retain this surplus labour, would be to put a stop to coolie emigration altogether. He hoped, therefore, the House would not adopt the views of the hon. Gentleman.

MR. CARDWELL said, he wished to bear his general testimony to the correctness of the views which had been expressed by his right hon. Friend (Mr. Adderley). He believed the system to be beneficial alike to the coolies, who in the colonies earned wages which they could not earn in their own country, to the West Indies and Mauritius, and to the negroes themselves. From its very inception to its close, the system was surrounded by every possible safeguard. The Indian Government required that persons enlisting coolies should be licensed; that the coolies should be recruited in the presence of a magistrate; that a full explanation should be given them; and that, up to the last moment, before going on board, they should have the power of withdrawing, so that none might be taken without their full consent. The ships were carefully surveyed, the greatest precautions being taken to insure sufficient accommodation, medical aid, and every reasonable comfort; while, on arriving at the colony, under a system superintended by local inspectors, the observance of the conditions of the engagement was enforced. The coolies, moreover, had the right of returning to their country, which they frequently did with sums of money, which, to them, were considerable. This system was superintended by some of the ablest public servants which this country possessed—namely, the Emigration Commissioners. Of course, abuses must sometimes occur in this, as in every other system, and the hon. Gentleman had referred to the case of the *Eaglespeed*, in which, undoubtedly, great fault existed. A full inquiry, however, was made, and the delinquents received punishment. His hon. Friend would do a service to humanity, and to the Commissioners, by bringing forward any abuses which came to his knowledge; but the occasional occurrence of abuses was no reason for destroying or discrediting a system which had been productive of most beneficial results.

LAW OF MASTER AND SERVANT.

QUESTION.

LORD ELCHO said, he had given notice that he would ask the Secretary of State for the Home Department, What are the intentions of Government with reference to the Law of Master and Servant; but instead of putting a direct question to the right hon. Gentleman, he would venture to make a request. He wished to ask the right hon. Gentleman publicly, as he had already done privately, to undertake to bring in a Bill to legislate on this question. He had a faint hope that such an expression of opinion would be made by hon. Members that the right hon. Gentleman would be encouraged to legislate upon it. This question of the law of master and servant was one which required to be dealt with by Parliament early in the present Session. The law, as it at present stood, was this—that a servant, if he broke a civil contract, was liable to a criminal prosecution, and might be imprisoned with hard labour. Such a state of law as this was harsh, unjust, and un-called for—and required remedy at the hands of Parliament. The position in which the question stood was this:—Last Session a Committee sat to inquire into the law regulating contracts between master and servant, and the Committee unanimously came to the decision that the present state of the law was objectionable, and they passed certain Resolutions recommending some changes in the law. A Committee, representing the united trades of the United Kingdom, had expressed their approval in general terms of the Resolutions arrived at by the Committee. It being admitted that a change was necessary, the question arose by whom was that change to be made. He felt very strongly that the question was one of such importance that it ought not to be dealt with by a private Member of this House. It ought to be taken up and dealt with upon the responsibility of the Government. The Secretary of State had gained just credit to himself for the way in which he had dealt with the trades unions; but he (Lord Elcho) thought this question of the law of master and servant was not less important. It was the wish of the master as well as the workman that Government should take it in hand, and with such a general concurrence of opinion upon the subject the Government ought not to hesitate to speedily act in the matter. He was also supported in this view by the opinion of the Committee, who thought the question should be dealt with by a Bill introduced by the Home Secretary. He hoped, therefore, that the right hon. Gentleman would be induced to take up the matter in the present Parliament, and introduce a Bill to regulate the law with regard to it.

MR. E. POTTER said, he thought the question was so much mixed up with that of trades unions, that it would be better to await the result of that inquiry than to institute hasty legislation. The delay of a year or two could do no harm, for the evidence taken by the Committee disclosed very few cases of harshness or oppression, and he believed that the law was not often enforced except in cases which came under the Combination Act. The Committee did not discover a single instance of the law having operated unfairly in the district where textile manufactures were carried on, which branch of industry employed the largest number of hands in the kingdom; and his own experience, both as an employer and a magistrate, was to the same effect. If, however, a Bill were introduced, it ought to be under the charge of the Home Secretary.

MR. CANDLISH said, the hon. Member who had just sat down had stated that questions between masters and servants coming for adjudication before a magistrate arose frequently out of trades unions under the Combination Act. He (Mr. Candlish) had had great experience both as a magistrate and an employer of labour, and he could not remember a single instance of the kind. His experience went to show that the prosecutions under the present law were cases simply of breach of contract, and had nothing to do with the Combination Act. They occurred especially in seaports, sailors being proceeded against for refusing to go to sea. A general feeling prevailed that the law which imposed only a penalty on the employer for the breach of a civil contract while it sent the workman to prison was unequal, and ought to be amended. He hoped the Home Secretary would introduce a Bill on the subject at an early day. He was quite sure that such a Bill would receive the cordial support of both sides of the House, and of masters as well as men.

MR. POWELL said, he concurred in the request that this subject should be taken in hand by the Government, without any loss of time, and that the summary and humiliating process of arrest should be put an end to by statute. He believed that the cases were rare in which a workman, who was supposed to have been guilty of some breach of duty, was manacled and brought before the magistrate as a felon; but he thought that there was a wide-spread opinion among the masters, and an almost universal opinion among the workmen, that the law was one which tended to dishonour and degrade the workman, and which, in a case of a breach of contract, placed him in a state of inferiority, mischievous to him and injurious to the master. There was one proposal of the Select Committee which ought not to be overlooked—namely, that in cases of aggravated breaches of contract, which might have caused injury to persons or property, the magistrates should have power to award punishment by imprisonment, instead of by fine. He alluded to such a case as that of an engineer who, carelessly or wilfully, left his engine, which was attached to a colliery, whereby a man ascending or descending the shaft might have lost his life, but some one providentially discovered his absence, and averted the calamity. The arrest of wages in Scotland for the payment of fines ought to be abolished. He hoped the House would very shortly deal with that question, and sweep the arrest away, as a relic of a past age, and unworthy the time in which they lived.

MR. WALPOLE: This is, Sir, one of the most important questions that can engage our attention. The Committee of last year arrived at certain conclusions by way of Resolutions, which I thought my noble Friend (Lord Elcho) would have embodied in a Bill and submitted to the consideration of the House. That Committee, my noble Friend reported, were unanimous in the Resolutions they adopted. But this very night has shown that very great precautions are necessary in adopting these Resolutions, because one Member of the Committee has expressed doubts as to these Resolutions, and has given his reason for so doing. My noble Friend has recommended to Her Majesty's Government the propriety of bringing in a Bill on this subject. I will not put him off by the observation which I might make, that, owing to the great pressure of the Government business, I do not see the probability of bringing in such a measure at an early opportunity. I admit that this subject ought to be taken into consideration at an early period, and I think that both the House and the Government equally desire to entertain it. At the same time, the subject is one which it is not easy to grapple with. I am engaged in communications with the Attorney General on this matter, and, without any positive pledge as to the time when we can introduce a Bill, I will give my best attention to the subject, and will if possible bring in a measure.

REPRESENTATION OF SCOTLAND.

QUESTION.

SIR WILLIAM STIRLING-MAXWELL said, that a few days ago he had warned the Government that when it was known in Scotland that no addition would be made to the representation great dissatisfaction and disappointment would be felt in that country. He had reason to believe that he had by no means exaggerated that feeling. He begged to call the attention of the Chancellor of the Exchequer to a Return laid on the table last year. That Return showed the proportional number of Members which ought to be given to each of the three kingdoms. First, proportionally, as to population; secondly, proportionally, as to contributions to the revenue; and thirdly, the mean between the two. According to population the Return would give to Scotland sixty-nine Members. According to taxation it would give eighty-six Members. And the mean between the two was seventy-eight. The present number of representatives was fifty-three. He did not expect that a claim of that kind would be paid in full; but in the Bill of last year the claim was acknowledged, and it was proposed to add seven Members to Scotland. In 1859, although no specific increase was promised, he remembered that the Lord Advocate, at the close of the debate on the second reading of the Reform Bill, pointed out, in reply to a question, that there were still seats not allotted to other parts of the Empire, and that hon. Gentlemen were not to suppose that no increase was to be made to Scotland. It was generally understood at the time that they were to have three new Members. He wished the Chancellor of the Exchequer merely to apply the same rules to Scotland which he had laid down for England. His right hon. Friend had enlarged with great force and clearness on the necessity for enlarging the county representation in England. Yet the greatest and wealthiest county in Scotland sent no more representatives to that House than half the number sent by the county of Rutland. His right hon. Friend proposed to add to the representation of Staffordshire a new Member, who was to represent what he called the "Black Country." He begged to remind his right hon. Friend that in one of the largest counties in Scotland—Lanark—they had also a "Black Country," which was growing daily in wealth, importance, and population. Yet that county was only represented by a single Member, unless they added to its representation one-third of the Member for the Falkirk district of boroughs. The Chancellor of the Exchequer had now introduced the sixth of the Reform Bills which had been introduced during the last fifteen or sixteen years. The right hon. Gentleman was taking a step, in the name of the Conservative party, in the direction of Reform greater and more solemn than he had taken before. A large majority of the Members from Scotland had always declared themselves in favour of Reform, and if the question had been left to them it would have been settled long ago. Now, it appeared to him that the Conservative Members who assisted the right hon. Gentleman in taking this question out of the hands of the right hon. Gentleman opposite were bound to see that the interests of Scotland were as much considered and as carefully weighed by their leader and his Cabinet as they would have been by the right hon. Gentleman opposite. They were making a concession to the opinions of their hon. Friends opposite, and if that concession were to do any good, it must be fairly and handsomely made. Would it be fair, or handsome, or wise, that a suspicion should be allowed to arise in Scotland that that country was not treated upon that side of the House as it would have been treated on the other; and that, in fact, it was to be deprived of its fair share of the new representation because the timepiece which regulated the opinion of the Treasury Bench went a little slower than that which regulated political opinions on the Opposition? As regards the second part of the question, respecting the source from which the increase might be derived, there were several seats which might be now said to be vacant. That part of the speech the other night, in which the right hon. Gentleman announced the proposed disfranchisement of the four seats which had recently been reported for bribery, was received with especial favour. If these boroughs were to be deprived of the right of sending Members to the House of Commons, would it not be wise to consider the claims of that portion of the kingdom which contained no boroughs that could be disfranchised for a similar cause? If these seats were to be taken away for the purpose not only of punishing the peccant boroughs, but also in order to give a solemn warning to the boroughs which had not yet been found out—though their bad electoral habits were, to say the least, strongly suspected—if such were the case, would it not add force and meaning to that warning if some of the seats were transferred to a country which, whatever might be its shortcomings, had during the last thirty years conducted its elections with almost unsullied purity? He asked this question with great reluctance, not with any desire to embarrass the Government, but because the subject excited the greatest possible interest in Scotland. So far from wishing to place any additional obstacle in the way of the right hon. Gentleman, he desired to bring the subject under his notice in order that he might take timely means to remove a difficulty which might otherwise prove serious. He begged to ask the Chancellor of the Exchequer, Whether, in his proposed scheme of Reform, it was proposed to give any additional representatives to Scotland; and, if so, from what source the increase was to be derived?

Sir JOHN OGILVY said, he hoped that the Government, before producing their Bill, would re-consider their proposals as they affected Scotland. The hon. Baronet who had brought this question forward had not exaggerated the dissatisfaction which existed in Scotland on this subject. He should not be doing his duty if he did not state that many places in Scotland, including the borough he represented, were, from their increase in population and wealth, fairly entitled to additional representation.

Sir EDWARD COLEBROOKE said, the feeling in Scotland upon this subject was very strong indeed, and he found himself in a position of some difficulty; for, though he desired to lend his support to

Her Majesty's Government in bringing to a settlement the most difficult question which they had taken in hand, he was considerably embarrassed in consequence of the marked silence maintained by the Government in reference to a subject which excited very great interest, not only in his own county, but throughout the whole of Scotland. That was not exactly the time to enter upon the question; but he might state that he represented one of the largest counties in Scotland (Lanark), in which there were five towns of many inhabitants wholly unrepresented. There was not a case in the United Kingdom with stronger claims to be considered, although its claim was not peculiar, for Ayrshire, Perth, Aberdeen, and a number of Scotch burghs were imperfectly represented, and had also strong claims on the Government. He submitted the claims of Scotland in the interest, not only of the country itself, but in the interest of the Government and of Parliament. He desired to ask English Members whether it was fair that the position of Scotland, which was now in the enjoyment of so much wealth and prosperity, and which contributed so largely to the national resources, should remain, with regard to representation, even below the position occupied by it on its union with England. At that time, when only forty-five Members were given to Scotland, the proportion was one in twelve, and it was less than that at the present day. The union between the two countries was a close and hearty one, and English Members should not object to the claim now made for additional Members for Scotland.

MR. M'LAREN said, he begged to join with those hon. Members who had preceded him in raising his voice in support of the claims of Scotland to be fairly considered in this matter. He wished to enlarge the question, and to suggest an extension of it to the right hon. Gentleman the Chancellor of the Exchequer. The discussion which had taken place had turned chiefly on the question of giving more Members to counties; but that point could be much better considered when the discussion on the Reform Bill took place, and he did not intend, therefore, to offer any observations upon that matter now. But his hon. Friend the Member for Brighton had made an inquiry of the Chancellor of the Exchequer that evening respecting the sum of £3,600, paid out of the public Treasury for the procuring of statistics upon which to found a Reform Bill in 1859. The right hon. Gentleman very properly justified that expenditure on the ground that the information then obtained was of a most valuable nature, and that some of the first statisticians of the day, and some of the most scientific men, were employed to procure that information. He (Mr. M'Laren) had an opportunity of reading these private papers, which had never been published, and one of which was specially directed to the claims of Scotland. It was, as appears from the heading, prepared at the request of the noble Lord, now First Commissioner of Works; and it placed those claims on such fair grounds that he should be prepared at once to accept those grounds, and ask the right hon. Gentleman the Chancellor of the Exchequer whether he was prepared to give effect to the opinions expressed by the scientific gentlemen and the eminent statisticians whom he employed for the purpose? The summing up of the argument, in which the claims of Scotland were rested, was as follows:—

> "In order, therefore, to ascertain whether the Scotch Members for counties and boroughs ought in fairness to be increased or diminished, he ought first to ascertain to what number of Members Scotland is entitled by virtue of her population, and then to what deduction from that number she ought to be subjected in consequence of the smaller amount of her real property."

That principle he held to be undeniable. The result arrived at by the writer of that able paper was, that Scotch counties have too many Members, as compared with England and Ireland; and that Scotch boroughs should have twenty-eight additional Members according to population, and twelve according to population and wealth combined. The Union had been referred to. It would be seen from a Return which he had the honour of moving for last Session, and which was laid on the table, but had not yet been printed, that while the revenue derived from England had increased tenfold since the union, the revene derived from Scotland had increased sixtyfold within the same period. But it had been stated that at the time of the passing of the Reform Bill, Scotland got eight additional Members. That, so far, put matters right. But assuming that everything was then made right as between England and Scotland, still the progress of Scotland since the Reform Bill, as indicated by its taxation, was so much greater than England as to be almost incredible. He would just mention two figures to show

how the case stood, and to found upon it the supplemental question with which he should conclude. The revenue derived from England, on an average of three years before the passing of the Reform Act, was £44,059,256, while the revenue derived from Scotland during the same period was £4,656,306. The revenue derived from England, on an average of three years ending in 1866, was £51,303,346, while that derived from Scotland for the same period was £7,740,494. Therefore, while the revenue derived from England had increased 16 per cent since the passing of the Reform Bill, the revenue from Scotland had increased 66 per cent during the same period. Justice to Scotland demanded that her proportion of representation should be re-adjusted at the present time; and he joined with other hon. Members who had spoken in the course of the debate, in entreating the Chancellor of the Exchequer to give effect to the calculations and statistics, which, as the right hon. Gentleman himself said, were obtained from the most eminent authorities in 1859. He begged that the right hon. Gentleman would look into the Returns which had been laid on the table last night, and that he would do justice to Scotland in the proposals which he would lay before the House. He should state that the Return laid upon the table last night excluded from the revenue collected within Scotland the duties upon spirits which had been sent to England and consumed in that country. The supplemental question which he wished to put to the Chancellor of the Exchequer was, whether he was prepared to give effect to the recommendation made to him in 1859, and give twelve additional Members to the boroughs of Scotland?

Mr. CUMMING-BRUCE said, he wished to urge the claims of the Scotch Universities. The English Universities and the University of Dublin were represented in that House by six Members, and yet the Chancellor of the Exchequer spoke of giving a Member to the University of London, while the Scotch Universities were altogether unrepresented. He was informed that the constituency of the University of London would not amount to 2,000. The Universities of Glasgow and Edinburgh would give a constituency of 4,000. They were entitled to one Member, and the Universities of St. Andrew's and Aberdeen ought to have one also.

Mr. HADFIELD said, he hoped that, in dealing with the question of Reform, the Government and the House would consider what was for the substantial benefit of the country. It was said that the Act of 1832 was a settlement of the question. He denied it. That Act had only unlocked the mind of the country.

Mr. SPEAKER said, he would remind the hon. Member that the general subject of Reform was not under discussion. The discussion was confined to certain matters referred to in a Question put to the Chancellor of the Exchequer.

Mr. HADFIELD: I was wandering. Every interest has been attended to but the claim of 5,000,000 of our fellow-subjects. ["Order, order!"]

Mr. SPEAKER: Ample occasion will be given to enter into that.

Mr. HADFIELD: The people of Scotland are the friends of liberty and enlightened policy, as is shown by the Members they send tô this House. Scotland is an example to the United Kingdom. I join in the request made by the hon. Gentleman. It is a glorious opportunity, such as is seldom given to any mortal man, that is now given to my right hon. Friend (the Chancellor of the Exchequer)—an opportunity of elevating the character of the United Kingdom.

Mr. KINNAIRD said, he was disposed to augur favourably of the result of this discussion from the expression of the Chancellor of the Exchequer's countenance while he listened to the figures which were cited by the hon. Baronet who had introduced it, and he hoped the right hon. Gentleman would state what his intentions were.

The CHANCELLOR of the EXCHEQUER: Sir, it appears to me that the question of my hon. Friend the Member for Perthshire is framed on a misconception of the precise state of affairs. I have promised the House that, with their permission, I would introduce a Bill that will improve the representation of the people in Parliament. Her Majesty's Government have not arrived at the conclusion that there is too much representative power in England. The conclusion at which we have arrived is, that the representative power in England might be more efficiently distributed. As to that we have a clear opinion; but there is a great difficulty in extending the representative power in some places and curtailing it in others, so as to distribute it in a more efficient manner. In the Bill which I shall shortly ask for leave to introduce, we make proposals whch we believe will render the representation of England more efficient.

We call into the representation a number of towns which have risen into importance since the passing of the Bill of 1832. We also propose to give more representation to large districts, which, I believe, every one of candid mind admits to be insufficiently represented. We see no reason to believe that the representative power of England is greater than its population, its property, and those mixed considerations, which ought to be admitted in an adjustment of such important details, entitle it to. Therefore, I cannot admit that, in attempting to improve the representation of England and Wales, we are bound to consider the claims of any other part of the United Kingdom. I think it a course much to be deprecated that the justice of any claim, which may be urged on behalf of one part of the United Kingdom, should be made to depend on what can be subtracted from another part of the kingdom. Having said that, I must beg the Representatives for Scotland to understand that Her Majesty's Government, when dealing with the case of Scotland, will consider it without any foregone conclusion, and solely with reference to the claims which it may fairly put forth to perfect its representation in this House. The claims to representation of the Scotch Universities are, no doubt, claims that may fairly be urged. My hon. Friend has spoken of the superiority, in point of numbers, of the Scotch Universities as compared with the University of London, to which I said a few nights ago it was the intention of the Government to recommend that a Member should be assigned. But my hon. Friend cannot accuse the present Ministers of the Crown of any neglect of Scotch Universities. These Universities may now appeal with pride and confidence to the character of their constituencies and to the interests which they represent. But to whom are they indebted for that character and for those constituencies? It was the Bill introduced under our auspices in 1859 which gave, I may say, a corporate character to those Universities, and laid the foundation of the claim which they could not before then have with any propriety urged. It cannot be supposed, therefore, that we, as a Ministry, are insensible to the claims of the great seats of learning in Scotland. I have always been favourable to constituencies which, mixed with those based on the great material interests that must always form the bulk of a representative assembly, should be founded on intellect and education. I can only repeat to the House, and especially to the Representatives for Scotland, that they are under a very great error, if they suppose that the Government are insensible to their claims, or unwilling to consider them; but they cannot consider them on the condition, that the improved representation of Scotland is to be satisfied by the sacrifice of English interests.

MR. OLIPHANT said, he wished to ask the Chancellor of the Exchequer when the Scotch Reform Bill was likely to be introduced? The character of that Bill might make a great difference in the support the English Bill might receive from Scotland.

MR. SCHREIBER said, he wished to ask the Chancellor of the Exchequer whether he could inform the House of the number of male occupiers resident in the boroughs and cities of England and Wales who would be placed upon the register for the election of Members of Parliament, by a household suffrage, accompanied by a three years' residence and the personal payment of rates? He had no wish to provoke a premature discussion on Reform; but the need of information on this point was sorely felt by many representatives of boroughs in England, and by none more than by some hon. Friends who sat on the Benches near him. If the right hon. Gentleman had it in his power to grant the information, or could suggest any other form in which the question might more acceptably be framed, he felt certain that, with his invariable courtesy to the younger Members of the House, he would not object to do so. From the information already in possession of the House it would appear that the borough occupiers in England and Wales, resident in houses of £10 and upwards, amounted to 639,000. Including the metropolitan constituency, these 639,000 were divided into equal halves at the £20 point; but, deducting the metropolitan occupiers whose house-rent was exceptionally high, there would remain 400,000 equally divided at the £18 point. So much for the houses above £10. Now, what was in the abyss below that limit? Looking down into it, he could not say, with Sir Charles Coldstream, that "there was nothing in it," but he believed there was much less in it than was generally supposed. The number of occupiers below the £10 level he took to be 650,000 or 700,000, not greatly exceeding therefore the number of those above the £10 level. What he wished to ascertain was the number of those who would come upon the electoral register in case the conditions of a three years' residence, with personal payment of rates, were insisted upon. In putting this question he was actuated by an earnest desire for the satisfactory solution of the question of Reform upon some basis that should satisfy the conditions of an equitable, a comprehensive, and a conclusive settlement ?

Main Question, "That Mr. Speaker do now leave the Chair," put, and *agreed to.*

SUPPLY—EXCESSES ON GRANTS.

SUPPLY—*considered* in Committee.

(In the Committee.)

£56,788 5*s.* 6*d.*, for sums to make good Excesses on Grants for the following Civil Services :—

	£	*s.*	*d.*
1. Office of Public Works, Ireland . . .	747	6	0
2. Postage of Public Departments	8,522	14	5
3. Law Charges, &c., England	6,007	9	10
4. Law Charges and Criminal Prosecutions, Ireland .	7,722	19	5
5. Maintenance, &c., of Prisoners	11,293	5	3
6. Special Missions, &c. .	3,266	15	7
7. St. Helena . . .	1,571	4	0
8. Miscellaneous Expenses .	1,012	4	3
9. Inland Revenue . .	16,644	6	9
	£56,788	5	6

Resolution to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

FACTORY ACTS EXTENSION BILL.

LEAVE. FIRST READING.

HOURS OF LABOUR REGULATION BILL.

LEAVE. FIRST READING.

MR. WALPOLE : Sir, in asking the leave of the House to introduce two Bills upon subjects closely allied, I propose to make a statement of their provisions, so that the details may be fully considered before the measures again come on for debate. The success which has attended on factory legislation has been so great, the beneficial results that have flowed from these Acts have been so marked and are now so universally admitted, and the evils still existing in some trades not subject to these Acts are so flagrant, that I believe the time has come when, with the valuable Report of the Commissioners on the employment of children in our hands, we may extend the principle of these Acts more largely than it has ever been extended before. We may even act, I will not say upon a new principle, but upon one that before the present occasion has never received full recognition. These factory laws were originally applied simply to two great branches of the trade and enterprize of this country—namely, to the cotton and woollen factories. The operation of the Acts was then confined to trades where steam or water or mechanical power was applied in working the machinery. These Acts have since undergone gradual development—first, by the Bleaching and Drying Acts in 1850, then by the Lace Factories Acts, and in 1864 the same principle was extended with some modifications to six other kinds of trade. Among those trades were the manufacture of hardware, of percussion caps, of cartridges, of lucifer matches, and of fustian. Those Acts proceeded upon the main principles contained in the Factory Acts, but they carried the Factory Acts much further — namely, to employments in which steam, or water, or mechanical power was not used, and in one instance even to trades carried on in private houses. The main principles of the Factory Acts are these :—First, to provide on sanitary grounds for the health of those employed in factories ; secondly, where dangerous machinery is used to take care that it is properly guarded ; thirdly, to adopt what is commonly called the half-time system in regard to children under thirteen years of age, that they might attend, compulsorily, at some school for the purpose of having their education carried on at the same time that they are earning wages by their labour; and lastly, with regard to young persons and all women employed in these factories, that the hours of work should be limited to ten and a half in the course of the day, and those hours should ordinarily be between six in the morning and six in the evening. I say ordinarily, for in some respects that rule has been deviated from by subsequent Acts of Parliament, and, I am sorry to add, it has also, in some respects, been deviated from with regard to the number of hours during which both children and women are to be employed. In extending these Acts, the main difficulty which arises is not so much with regard to the extension of their principles, as to the exceptions and modifications which the special and peculiar circumstances of special and peculiar trades may require. Bearing this in mind, allow me to call the attention of the House to the valuable Report of the Commissioners who were appointed to inquire into the employment of children, and let us see what in their Report they have recommended to the consideration of Parliament. Their first Report was presented in 1863; and it was in consequence of that Report that the six new trades which I have mentioned as having been made subject to the provisions of the Factory Acts in 1864 were brought under their operation. In 1864, in 1865, and in 1866, four other Reports have been presented and laid on the table of this House. Those Reports contain a mass of matter, the value and importance of which cannot be over-estimated. In grappling with this subject a single statement will show the large field over which we have to travel, and the immense variety of interests with which we have to deal. These four Reports embrace 150 separate trades, and they affect, more or less, the growth, the health, the physical, the moral, and the intellectual condition of not fewer that 1,400,000 women and children. It will probably interest the House to know how these 1,400,000 women and children are classified according to their respective trades. I find from the Reports of the Commissioners that the proportion of them employed in the lace, the hosiery, and the straw-plait manufactures, and one or two trades of a similar kind, is 320,000. In the manufacture of wearing apparel, &c., where women are principally employed, the number is 858,000. In the metal trades of Staffordshire, Warwickshire, and Worcestershire the number was 91,129. In the paper, glass, tobacco, and other manufactures, it was 72,000. In the printing, book-binding, and stationery trades it was 18,250. In certain miscellaneous trades, including brickfields, it was 38,720;—making an aggregate of 1,398,199. You may, therefore, say that the Bills which I ask leave to introduce affect the well-being of, in round numbers, 1,400,000 women and children. With these facts before us, the question arises how are we to deal with trades so varied, and interests so diverse. The subject may be divided into two branches, which I have endeavoured to incorporate in two Bills, and for the sake of clearness I shall call those two branches, the trades which are carried on in the larger establishments, and the trades which are carried on in the smaller establishments. The dividing line between the larger and the smaller establishments cannot be made with reference to the nature of the work done in them, for it is more or less the same in both. The dividing line, therefore, adopted in these Bills, pursuant to the suggestion of the Commissioners themselves, is to measure the larger establishments and the smaller with reference to the number of persons who are ordinarily employed in them. Accordingly, one of the Bills relates to the larger establishments and the other to the smaller. The larger establishments, speaking generally, will be made subject to the regulations of the Factory Acts. The smaller establishments, also speaking generally, will be subject, not to the inspection of the Factory Inspector, and not to the provisions of the Factory Acts, which can hardly be made applicable in all their particulars to these smaller establishments, but they will, as we propose, be placed under local supervision. I cannot do better than now briefly explain each of the Bills in their order. The first enumerates six different heads of trade which will be included in it. Then that is followed up by a seventh head, which applies to any building or premises whatever in the same occupation, in or upon which 100 or more persons are employed in any manufacturing process—that means any manual labour exercised by way of trade, or for the purposes of gain in the making, adapting, altering, or repairing of any article. The dividing line between the two Bills will take in on the one side of the line all those establishments where 100 persons or more are employed, and the other side will comprise the smaller establishments, many of which are carried on in private houses. With reference, then, to manufactories included in the first Bill, I propose to make them subject to all the provisions of the Factory Acts as to ventilation, cleanliness, security, health, the length of time during which women and children are to be employed, and as to compulsory attendance at schools for purposes of education. These will be the provisions of the first Bill; and, inasmuch as you are attempting to apply the provisions of the Factory Acts to a vast number of trades which have peculiar circumstances affecting them, and also to a vast number of trades which will require time to adapt themselves to the new requirements which the law will impose on them, there will be found at the end of the Bill certain temporary and certain permanent modifications which will relate to the trades included in them. Among the temporary modifications will be the allowance of intervals of time, beginning with twelve months and going on to a year and a half, for adapting those trades to the new requirements to which they will be subjected. The permanent modifications refer mainly to those special trades which require workpeople to be employed during the night. What we propose to do by the Bill is this —we will not allow children or women to be employed on night work at all but with the sanction of the Secretary of State; and where, in certain specified trades, young persons are required to be employed during the night, it is provided that they shall not be employed on the day preceding or succeeding, and that they shall not be employed above a certain number of nights in the fortnight. It will also be found that the Bill refers to certain particular evils specially referred to by the Commissioners. I allude to the grinding process and to the use of the grinding stone. When the grinding stone is used, it is found that the dust which comes from steel and stone is so deleterious to the workman that in those places where a fan is not used for the purpose of driving the dust from the mouth the grinders, inhaling the particles into their lungs, live on an average only forty years; it is therefore insisted in this Bill that fans, which in some cases are now provided at the workman's expense, shall be fixed to all grinding machines. The accidents arising from the use of the grinding stone are so numerous, and the injuries caused by these accidents so great, not merely to the workmen actually employed, but to those in his neighbourhood, that it is required in this Bill that the stone shall be permanently fixed in such a manner as to prevent these accidents. This is the first Bill which I shall have the honour to introduce. The second is somewhat novel in principle, though not so much so as at first sight might appear. This Bill, if passed, will, I believe, do more for the benefit and protection of those who cannot protect themselves than any other measure that has yet been devised. I have already stated to the House that those engaged in the lace and hosiery trades amount to 320,000, while those employed in making wearing apparel amount to 858,000—in all, 1,178,000 out of the 1,400,000 women and children so employed. These two trades will be chiefly affected by the second Bill. With respect to these trades the Report of the Commissioners convinces me that the evils incident to the employment of women and children in them are unfortunately greater than the evils which have been found to exist in many of the factories already under inspection. I am sorry to add that we find these evils are aggravated to a tenfold degree in the small workshops where children are found at work. The early age at which they are forced to work, the length of time during which they are employed, the incessant labour which they are compelled to go through, the bad ventilation, the deficiency of air and exercise, the miserable want of education, and all the mischiefs that necessarily flow from these causes, make their appeal to us—they make their appeal to our better feelings—they make their appeal to our benevolence and humanity—they make their appeal to our sense of justice and right; and I am sure that appeal will not be cast aside by the House of Commons without an endeavour to ascertain the source of the mischief, and if possible to apply a remedy. There are three objections—objections which appear to be very formidable at first sight—that are urged against the application of this principle. It is said that the number of people in those workshops is so small, and it will be so difficult to exercise a supervision over them, that it will be better to leave them unprotected. In the second place, it is said that the rights of private houses ought to be respected, and that we ought not to interfere with them. In the third place, it is said that we ought not to interfere with the rights of a parent over his child. Now, my answer to the first of these objections is, that it is the duty of the State to protect those who are not able to protect themselves, and that class is composed of those who are employed in the small manufactories, the women and children. Independent of that, I could show that wherever the principle of this Act has been put in operation it has always been found to be beneficial. The very first Factory Act passed in 1802, and introduced, I believe, by the first Sir Robert Peel, was applicable to places where only three persons were employed. The Factory Acts of 1833 and 1844 were silent as to the numbers employed. When you take the subsequent Acts—the Printworks Act, the Bleaching and Dyeing Works Act, the Bakers' Regulation Act, and the Acts with reference to chimney sweepers—you will find that they all apply to places where very few persons are employed, so that the Legislature has sanctioned the principle in all of those cases to which I have referred. As to private dwelling-houses, I could quote passage after passage from the Commissioners' Reports to show that those private dwelling-houses ought not to be allowed to remain without supervision. But the principle has been already adopted by the Legislature. The treatment of lodging-houses, the Public Health Acts, the Nuisances Removal Act, and Local Government Acts, are all precedents for our guidance in this respect. As regards parental rights, I must be permitted to observe that there is a parental duty as well as a parental right. The first duty of a parent is to see that his child is physically, mentally, and morally educated, in order properly to fulfil the various duties of life. If that duty is neglected, we must come to the State, the parent of the country, to fill the place of the natural protector of the child. The main objects of the Bill are, in the first place, to secure that no children under eight years of age shall be employed in workshops ; secondly, to regulate the hours of labour for children between eight and thirteen years of age ; and lastly, the working hours of all young persons, not absolutely, but very nearly, in conformity with the principles applied in the Factory Acts. The question arises how those regulations are to be enforced. If we appoint Inspectors to supervise the whole of the trades to which the measure relates, they would find it a matter of impossibility, so numerous are the workshops scattered over all parts of the kingdom, to discharge that duty with anything like efficiency. What, therefore, we propose to do is to impose a penalty both on the employer and upon the person who, whether parent or not, directly profits by the labour of the children, for acting in contravention of the law. We propose further, that the local authorities shall have the power to see that the provisions of the Act are properly complied with, and, if not, to subject the transgressors to the penalty to which I have adverted. The Bill, like the other, will require to have inserted in it special clauses with respect to the grinding stones used and the grinding process which may be carried on in some of the mills. It will also contain certain modifications of the Factory Acts, in order that it may be rendered workable without interfering unduly with particular trades, which are not conducted in the same manner as the works in factories. I believe I have now stated the chief provisions of these two Bills, and it will be seen that they apply to every case except that of agricultural labour, and of labour in mines, and in ordinary shops. The labour in mines is already more or less regulated by Acts relating to them specially, and ordinary shops can hardly be subjected to the provisions of these Bills. As the Commission appointed to inquire into the Employment of Children in the Work of Agriculture have not yet issued their Report, I think it is better to postpone legislation on that particular part of the question—as I took occasion to say the other night, during the discussion which took place on the Motion of the hon. Member for Brighton (Mr. Fawcett)—until we have before us those full details which would enable us to deal with it satisfactorily. I forbear on this occasion from doing more than making such a statement as will place hon. Members in a position to form an opinion on these Bills, which will, I hope, be in their hands on Monday morning, and what is to my mind still more important, will call the attention of the country generally, and of those interested in the trades to be affected, to the proposals which we recommend for adoption. Two remarks I would make before I conclude. The first is that inasmuch as we are dealing with a subject so vast, so varied, and so complicated, I am anxious that every suggestion that can be made with a view to improve these measures should be brought under the consideration of the Government and the House before they are read a second time, or at any rate, before they go into Committee. With that view I earnestly invite all those hon. Members who take an interest in the question to consult their constituents as to what amendments, if any, they would desire to see introduced into these Bills. To facilitate the attainment of that object, I would postpone the second reading for a considerable period, say, three weeks or a month. After the second reading we might put off the Committee for some time; but while, on the one hand, I should deprecate undue haste in dealing with the subject, I should, upon the other hand, equally deprecate unnecessary delay. The other remark I would make is that, fortunate as we may consider ourselves as a Government in having the honour of recommending such measures as these to the consideration of Parliament, the merit of them does not rest so much with us as with those who have been the originators of the Commission, and those who, as members of that Commission, have brought the matter so ably under our notice. In alluding to those to whom I think merit is due, I cannot pass without mention the benevolent exertions of the Earl of Shaftesbury, who, from the begining to the end of all these factory measures, has been the prime mover at every step, through a period of trial and of difficulty, and who now has the satisfaction of seeing his labours rewarded by the prospect which presents itself of having those labours brought to a triumphant conclusion. I must also bear my testimony to the unwearied industry, the careful investigation, the discriminating judgment, and the great ability which Mr. Tremenheere and his fellow Commissioners have brought to bear upon the subject, and I cannot better conclude my remarks than by adopting the language which they use at the end of their Report—language which I think will find an echo in every part of this House, as well as in every part of the country—

> "We heartily trust that we may have thus in some degree contributed to bring the time nearer when so many hundreds of thousands of your Majesty's poorer subjects of the working classes—especially the very young and those of the tenderer sex—will be relieved from the totally unnecessary burden and oppression of overtime and night work; will be confined to the reasonable and natural limits of the factory hours, with the established periods for meals and for rest and recreation; will perform their daily labour under more favourable sanitary conditions, breathing purer air, amid greater cleanliness, and protected against causes especially injurious to health, and tending to depress their vigour and shorten their lives; and finally, will be under the obligation, between the years of eight and thirteen, of combining a certain and very useful amount of school instruction with wages, yielding employment, and thus benefiting themselves and their country by reaching, as may be hoped, when they grow up, a higher standard of morals and intelligence. Should it be found practicable to extend the principles of the Factory Acts so as to embrace the large numbers which have come under review in these Reports, the blessings which follow—if at all equal to those which have attended that series of Acts since their commencement in 1802—will largely add to the store that has been accumulated by the beneficent legislation of your Majesty's reign."

With these words I conclude. I believe that future generations will look back with pleasure upon that reign—that beneficent reign—in which many good things have been done, but none more gracious and just than throwing the protection of wise and considerate legislation over the women and children of this country.

MR. BRUCE thanked his right hon. Friend for the large and comprehensive measure he had introduced. The nature of those difficulties he could easily understand, having himself had to deal with the same subject, though on a smaller scale, referring only to five or six trades. With respect to the first Bill, he understood the right hon. Gentleman drew a line of distinction between establishments employing at least 100 persons and those employing a less number. He asked whether there were not certain specific trades which, whether more or less than 100 children were employed, might not properly come under the first Bill. He did not understand whether with regard to trades employing less than 100 the provisions of the Factory Acts as to the protection of machinery would apply. [Mr. WALPOLE: They will.] He also wished to know, with reference to the second or Workshop Regulation Bill, whether it contained any provision for the education of children; because, if it did not, much diasappointment would be felt. He heartily concurred in the provision prohibiting the employment of children under eight years of age in the trades to which the right hon. Gentleman's Bills referred. It would, he believed, put an end to many grievances not only in the manufacturing but also in the agricultural districts, as he supposed the Act would apply to straw-plaiting. His right hon. Friend would, he had no doubt, find little difficulty in defending the course he had adopted with regard to children working under the paternal roof. When the Act of 1864 was framed the Government had to consider one of the worst cases, that of fustian cutting, which was mostly carried on in private houses, and it was deemed advisable then that no children under eleven years of age should be employed at a trade which could be shown to be injurious to the human frame. No doubt there would be the same objections offered to these Bills which were urged against preceding Factory legislation — namely, that there was an improper and prejudicial interference with the labour market, and that the effect would be to deprive a number of children of employment. Such a cry was in fact raised at the time of passing the great Factory Acts, and it was partly verified. In 1835, when the subject was legislated upon, 47,000 children were employed in factories; in 1838, only three years afterwards, they had dwindled to

24,000; and in 1856, in spite of the great increase in trade and manufactures, the number employed was only 44,000. Yet such was the beneficial effect of a just and true principle that, in spite of this diminution of employment, all classes, employers and employed, were unanimous in their approval of this restrictive legislation. The limitation of labour had led to increased wages; and the improved health and intelligence of the working population were a direct advantage to the employer, more than counterbalancing the loss involved in the increase of wages. To prevent a child of four or five years old from working was not only just to the child, but ultimately advantageous to those parents who eked out their own miserable wages by the premature labour of their infant children. The Legislature, by its interference, would contribute to that even distribution of labour throughout the country, which was the most effectual remedy to existing evils. Some branches of the tree of evil had been lopped off by the previous Acts, but the right hon. Gentleman, by this large measure, had struck at its root. If the right hon. Gentleman would give one more blow by extending the operation of the Act to the agricultural districts, he would complete a work of which this generation might well be proud.

MR. E. POTTER said, he could only express the extreme gratification he had experienced in listening to what had fallen from the right hon. Gentleman (Mr. Walpole). He knew not which most to admire—the right hon. Gentleman's talents or his industry. It was a pity, however, that the Bill did not contain a provision for the compulsory education of the children employed in the various trades affected by the proposed alteration in the law. He believed that the compulsory education conferred upon the masses by means of the Factory Acts had been one of the greatest benefits derived from those measures. Perhaps the right hon. Gentleman before the second reading of the Bill, would take the matter into consideration, and would see if he could not introduce a clause to make education compulsory among the children employed in the manufactures referred to in the measure. According to the statement of the right hon. Gentleman, the Bills introduced to-night would embrace 1,400,000 persons, which was double the number of those at present under the operation of the Factory Acts. If the right hon. Gentleman could make education compulsory upon the agricultural population, he believed it would be better than the application of the Factory Acts.

MR. WALPOLE said, he felt much gratified with the reception the Bill had met with. With reference to the observations of the right hon. Gentleman opposite (Mr. Bruce), he might say that he had purposely avoided going into the details of the separate heads into which the various trades to be affected by the Bill were divided. The list was as follows:—

> "1. Any blast furnace or other furnace or premises in or on which the process of smelting or otherwise obtaining any metal from the ore is carried on. 2. Any copper mill. 3. Any iron mill, forge, or other premises in or on which any process is carried on for converting pig-iron into malleable iron. 4. Iron foundries, copper foundries, brass foundries, or other premises or places in which the process of founding or casting any metal is carried on. 5. Any premises in which steam, water, or other mechanical power is used for moving machinery employed in the manufacture of any kind of metal in the manufacture of india-rubber or gutta-percha, or articles made wholly or partly of india-rubber or gutta-percha. 6. Any premises in which any of the following manufactures are carried on—namely, paper manufactory, glass manufactory, tobacco manufactory. 7. Any building, or premises whatsoever, in the same occupation, in, on, or within the precincts of which 100 or more persons are employed in any manufacturing process; and every part of a factory shall be deemed to be a factory except such part, if any, as is used exclusively as a dwelling."

The hon. Member opposite (Mr. Potter) had pointed out that the Bill contained no clause to make education compulsory upon the children employed in the various manufactures dealt with. That omission was certainly a grave defect in the Bill. The matter had not escaped his attention; but he had not been able to arrive at a satisfactory conclusion as to the means by which the desired end should be arrived at. Not yet seeing the best mode of doing that, he thought it well to introduce the Bill merely with the points in it about which he saw his way, instead of introducing, without further consideration, matters on which he had not yet made up his mind. His notion was, before the Bill went into Committee, to insert a clause to the effect that, before a child should be admitted to any of these employments some certificate should be required for its having made a certain progress in education, and that after it had been admitted another certificate should be required of its attending school a certain number of hours each day. He would also see if some such clause could not be inserted in the Workshop Bill.

Motion *agreed to.*

Bill for the Extension of the Factory Acts, *ordered* to be brought in by Mr. Secretary Walpole, Lord John Manners, and Sir John Pakington.

Bill *presented,* and read the first time. [Bill 62.]

Bill for regulating the Hours of Labour for children, young persons, and women employed in workshops; and for other purposes relating thereto, *ordered* to be brought in by Mr. Secretary Walpole, Lord John Manners, and Sir John Pakington.

Bill *presented,* and read the first time. [Bill 63.]

RELIGIOUS, &c., BUILDINGS (SITES) BILL.

LEAVE. FIRST READING.

Mr. HADFIELD said, that this measure was not intended to interfere with the Mortmain Acts further than to permit the founders of certain institutions to purchase or give land upon which the necessary buildings might be erected. He did not wish to enable parties to take large estates; and therefore the Bill limited the quantity to be taken, at full value, to two acres. He proposed no alteration in the laws of Mortmain, which *Blackstone* said were intended to prevent a dying man from endeavouring to atone for a bad life by giving to God the wealth which he could no longer retain.

Mr. HEADLAM said, that the Bill of his hon. Friend had been very carefully and judiciously guarded, being limited to sites for buildings and *bonâ fide* purchases. He thought it would be a great improvement in the law, and he would be prepared to go further in the same direction. Its principle should be exempted from the strict rules of the Mortmain Act. He was prepared to give the measure his cordial support.

The ATTORNEY GENERAL said, the question was one of some importance, and he should therefore reserve his opinion upon it until the Bill was before them. The Mortmain Act had been a very useful one in preventing languishing and dying persons leaving gifts to religious and charitable uses. The present measure was intended to strike a blow at that Act, although it only referred to the purchase of sites, because a languishing or dying person might on his death bed, under its provisions, ask another to buy two acres of land in the City of London, saying he would give full value for it, and make it a site for a church or chapel, or school, or anything else which came within the category of a charitable purpose. He would not, however, oppose the introduction of the Bill.

Lord JOHN MANNERS said, that the proposal now made was in strict accordance with the recommendations of two Select Committees of the House, one of which was presided over by himself, and the other by the hon. Member for Sheffield (Mr. Hadfield).

Motion *agreed to.*

Bill for facilitating the acquisition and enjoyment of Sites for Buildings for religious, educational, literary, scientific, and other charitable purposes, *ordered* to be brought in by Mr. Hadfield, Mr. Bazley, Mr. Akroyd, and Mr. Leeman.

Bill *presented,* and read the first time. [Bill 64.]

OYSTER AND MUSSEL FISHERIES BILL.

On Motion of Mr. Stephen Cave, Bill for the preservation and further protection of Oyster and Mussel Fisheries, *ordered* to be brought in by Mr. Stephen Cave and Sir Stafford Northcote.

Bill *presented,* and read the first time. [Bill 61.]

House adjourned at half after Nine o'clock, till Monday next.

HOUSE OF LORDS,

Monday, March 4, 1867.

MINUTES.]—Public Bills—*First Reading*—Trades Unions* (31).

Third Reading—Masters and Workmen* (3), and *passed.*

MINISTERIAL EXPLANATION.

The Earl of DERBY: My Lords, before your Lordships proceed to the business of the evening, I think it is due to your Lordships, in the present state of affairs, that I should state to you, without the slightest reserve, the position of the Government, and the circumstances by which that position has been brought about. I trust you will forgive me if, in laying before you, quite openly and without any reserve, both the course which has been pursued and the present state of affairs, I refer back to a single fact connected with the period at which my Colleagues and I took office. At that time Her Majesty's Government, having failed in carrying the Reform Bill which they had introduced in the House of Commons, felt it to be their duty—and I question not whether they did so rightly or wrongly—to resign office, and the Queen was therefore left without a Government. Under those circumstances, I felt myself unable to resist the appeal made to me by Her Majesty that I would accept the responsibility of forming a Ministry; but in doing so I undertook the responsibilities of office perfectly unpledged with regard to the subject of Reform. At the same time, I must say, my Lords, that almost immediately after the formation of the Government my Colleagues and I came to an unanimous agreement that it was absolutely impossible that we could altogether ignore that great and pressing question. The question which then naturally pressed on us was — considering the failure of our predecessors although they had the support of a majority of the House of Commons—in what manner we might bring to a successful issue a question which for more than eleven years had baffled the efforts of every preceding Government. My Lords, I felt, as I have had the honour of saying to you already in the course of the present Session, that it was a question which could not be settled by the mere authority or influence of any Government whatever; and that if the Government of last year was unable to settle the question, still less was the present Government likely to be able to command such a majority as would carry its measure against all opposition. We felt, therefore, that the only mode open to us—that the only prospect which was held out to us of a successful issue to our undertaking—was to proceed by what I may call a sort of tentative process, and to invite Members of different political opinions in the House of Commons to consider whether by an arrangement which might be more or less acceptable to various parties in the House a conclusion upon this great question might be arrived at. My Lords, it was with this view that we determined in the first instance not to proceed by a Bill, but by introducing a series of Resolutions, through which we had hoped to elicit from the House of Commons the views they took upon the main questions which would be necessarily involved in any Reform Bill. I admit that the Resolutions were somewhat vaguely and indistinctly drawn;—our desire was not to pledge the Government to a specific point upon any one of those Resolutions, but to endeavour to obtain the general opinion of the House of Commons as to what measures would be likely to meet with a general assent. My Lords, the House Commons has not thought fit to entertain the mode of proceeding we proposed, and consequently we were deprived of the great advantage of being able to collect what was the general feeling and desire of the House of Commons on the main points which we desire to ascertain. I do not, of course, say that we were prepared to adopt any mode of proceeding which the House of Commons might think fit; but what we desired to know was what arrangements might be made, what compromise was likely to be accepted, and in what manner we might, without any sacrifice of our own convictions, bring this measure to a satisfactory conclusion. The House of Commons, however, having evidently shown their disinclination to proceed by way of Resolutions, and having expressed a wish that a Bill should be introduced with the least possible delay, Her Majesty's Government did not hesitate, notwithstanding the great disadvantage under which they now laboured, to undertake to bring forward a measure; and it then became the duty of the Cabinet to consider immediately, without a minute's delay, the provisions of such a Bill as they thought they could lay upon the table of the House. Of course, the main provisions of a Bill had been the subject of anxious inquiry in the Cabinet for some time past; but we had not, up to that period, actually framed a Bill, and it therefore became necessary to consider what the provisions of the Bill should be. Two schemes were under the consideration of the Cabinet, varying from each other in that very essential particular—the amount of the extension of the franchise. One of these schemes was more extensive than the other. The more extensive one, I may say, was that to which our Resolutions originally pointed, and more especially the fifth Resolution, which, though it has not been formally communicated to your Lordships' House, was, I may mention, to the effect that the introduction of a system of plurality of votes might allow us to reduce the franchise lower than could be done under other circumstances, and to establish it on a firm and durable basis. The other was a scheme of less extent. Both of these schemes were anxiously considered by my Colleagues and myself; and, though one very distinguished Member of the Cabinet entertained strong objections to the course we were endeavouring to pursue, yet he felt that, in order to secure the great object of perfect unanimity in the Cabinet, it was his duty to waive any objections he might personally entertain, as he shared in our earnest desire that this question might be settled. I had then hoped that with that exception the larger and more extensive scheme would have received the unanimous consent of my Colleagues, and we were prepared to submit that scheme to the other House of Parliament, when to my regret—and I may add somewhat to my surprise—I ascertained that two of my most valuable and most distinguished Colleagues, occupying most important posts in the Government, had, upon a re-consideration of the figures which had been presented to them, come to the conclusion that our proposed arrangements, especially in regard to the small boroughs, would produce such an extensive and injurious effect, that they were compelled to withdraw the adhesion which they had given to the proposal. I need hardly say that withdrawal relieved the other Colleague of whom I have spoken, from any obligation under which he might have felt himself placed. I and my other Colleagues were now placed in the painful position of having to consider whether we should present to Parliament that which we believe to be the more desirable and the more extensive measure of Reform, when such a proceeding would lead to our ranks being diminished by the loss of no fewer than three Secretaries of State, all of them men of mark and character in the Cabinet, and all of them men who, in their several positions, have displayed more than ordinary ability. We may or we may not have come to the right conclusion; but I confess that I could not make up my own mind to so painful a sacrifice as long as there was a prospect, even by the introduction of a Bill less satisfactory to myself, of a compromise being effected. Under these feelings I and the majority of the Cabinet consented to submit to the House of Commons a measure which, I admit, we felt was not perfectly satisfactory, but which we hoped might, at all events, for a time settle this important question. My Lords, it became very shortly obvious that on either side of the House did that proposition meet with a satisfactory reception. It was not accepted by the Members of the late Government, and it was felt by the supporters of the present Government to be such a measure as could not be regarded as a final and satisfactory settlement of this vexed question. We had therefore, during the course of the past week, to consider—and to consider most anxiously—whether we should adhere to our second proposition, or recur to that which commanded the support of the great majority of the Cabinet, and at the cost of a sacrifice of three most esteemed and valuable Colleagues, to present to Parliament that measure which, in the first instance, the majority of the Cabinet considered the most desirable one. I need not say with what pain we came to the conclusion that it was our duty, placed in the position in which we are, charged with the awful responsibility of endeavouring to settle this great question, seeing no alternative, seeing it was proved last Session that our predecessors could not frame a successful measure on this subject, and seeing also the infinite importance of not allowing this question to stand Session after Session in the way of public business, to keep alive perpetual agitation and excitement in the country—to struggle with the difficulty. I felt it my duty to struggle with the difficulty, and my Colleagues supported me in that determination. I, for my part, whatever regret I might experience in separating from those of my esteemed Colleagues, who could not bring their convictions into unison with those of the remainder of the Cabinet, felt it my duty neither to throw up the post which I hold nor to abandon the hope of carrying a Reform Bill. I have determined to bring forward and to submit to Parliament, with such assistance as I can obtain, the measure which it was at first intended to introduce, but which the circumstances that I have explained to your Lordships led us for the moment to abandon. That measure will be in a very short time laid before the other House of Parliament. I trust that by the expiration of the present week we shall be able to replace—I will not say whether we shall be able to replace adequately or not—the Colleagues whom we have had the misfortune to lose. I believe that at the expiration of this week we shall be able to present a complete and united Cabinet; and I trust that, at no distant period, we shall be prepared to lay before Parliament the measure which we originally determined to introduce; and we hope, and hope most earnestly, that we shall be able to bring it to a satisfactory conclusion during the present Session. I cannot express the regret I feel at parting with three of the most important and most valued of my Colleagues, to whom I am united by feelings of political and personal friendship; but I felt that if I had not endeavoured to go on I should have failed in my duty to the public and to my Sovereign. And, whatever pain I may feel on account of this separation, I trust that the remainder of my Colleagues will be equal to every duty they may have to perform; and that, in the course of the present Session, we may bring to a successful conclusion this great and paramount question, which has so long baffled all Administrations.

THE EARL OF CARNARVON: My Lords, after what has fallen from my noble Friend at the head of the Government I feel it necessary to trouble the House with a few words. There are two reasons why I should abstain from entering at any length into this question at the present time. First of all, it is to me a matter of infinite pain even to seem to enter into any kind of controversy with my noble Friend; and secondly, the provisions of the measure which Her Majesty's Government are prepared shortly to lay before Parliament are not yet known to the public generally, and it is impossible for me to justify the course I have taken, without reference to the measure itself. But I am anxious to state one thing, which is this:—In separating myself from my Colleagues I have not been influenced by any indisposition to deal with this question. I have felt from the very commencement that there was no alternative but to undertake the task of dealing with it, after the pledges which had been given by individuals, by successive Governments, and by the words which Her Majesty herself had spoken. More than that—I felt it right that this question should be now finally settled. Ever since the Reform Act of 1832 the number of the working classes has, perhaps, had a tendency to diminish rather than to increase in the representation, and certainly it has decreased in comparison with the representation of other classes. I felt that this question ought to be dealt with, and that considerable classes of our fellow-subjects might safely and with advantage be enfranchised. I admit the necessity and the justice of such a measure. I thought, moreover, such a measure might well be a bold and a new one, not too closely linked in character to former measures relating to this subject. And, at the same time, I have all along felt—and my Colleagues will confirm me as to this point—that an ample measure should be brought forward in an ungrudging and free spirit, because I believed that unless that were done there would be no chance of settling this vexed question upon an enduring basis. But I also entertained a strong opinion that the measure ought not to be a one-sided one, and that, while we admitted a full proportion of the working classes, we should not admit them in such proportions, and under such conditions, as would place them in absolute pre-eminence and control over all other constituents. I shrink from a class government of whatever kind; I shrink from the dead uniformity of any one class or interest or opinion; I shrink from sweeping away all intervening barriers and reducing the complicated system of English constituencies to two clearly defined, and, perhaps, ultimately hostile classes—a rich upper class on the one hand, and a poor artizan class on the other. Those are the views which have constantly weighed on my mind; and if I agreed in many of the principles of the measure to be introduced, I felt at the same time that principles by themselves, as mere principles, are almost worthless, and that the only test you can have in this case is the common test of arithmetic. Now, that was the test I ventured to apply to the measure of which my noble Friend has spoken; and I could not hide from myself that, no matter how satisfactory its general principles might appear, the change proposed would bring about results very different from those which were expected. I do not want to go into details; but I saw great reason to fear that the results of the measure would effect an enormous transfer of political power, and alter the character of five-sixths of the boroughs of this country—that the principles might be good in theory, but the compensation in practice was illusory. I felt that I could not be a party to a change of so very great and extensive a character; though, as I have already assured your Lordships, I quite recognised the importance of admitting so many of the unenfranchised classes. In proof of my readiness to accept a large measure of enfranchisement, I may mention that, personally, I should not be afraid to go down to that point which is sometimes said to be the only resting-place—namely, household suffrage—in all those boroughs which exceed a certain limit of population, and to establish a £6 rating franchise in other minor boroughs. I mention this to show that, individually, I had no objection to deal with the question, but, on the contrary, was prepared to accept a large measure, providing only that the conditions on which it was granted were, in my opinion, satisfactory and safe. I have one other thing to say regarding the statement of my noble Friend. My noble Friend alluded to the compromise of a £6 rating introduced by the Chancellor of the Exchequer in the House of Commons. Now, with reference to that proposal, I have only to observe that, if it was a measure distasteful to my noble Friend and, as I think he said, to the majority of the House of Commons, it was equally distasteful to me. It was not what I desired, but I accepted it—as I believe my noble Friend accepted it—simply with a view to prevent the consequences which unfortunately have since occurred. In conclusion, my Lords, I can assure you that the pain with which I adopted the step I have felt it right to take is scarcely to be expressed by me. My noble Friend, I know, undertook the Government of the country from a feeling of loyalty to the Crown, and a sense of public duty to the country. He undertook it under great difficulties and great discouragements; and therefore it has been to me, I think, the most painful act of my life to sever my official connection with him at, perhaps, the very moment of his greatest difficulty and embarrassment. But I have felt it my duty to do so. I have not been able to see how, consistently with my conscientious convictions on the subject, and with that self-respect which every man owes it to himself to maintain, I could adopt any other course. Under these circumstances, I have felt it my duty to place my resignation in the hands of my noble Friend. That resignation has been accepted, and I now hold office only awaiting the appointment of my successor.

Earl GRANVILLE: My Lords, I hope it will not be considered presumptuous on my part if, in the absence of my noble Friend Earl Russell, from indisposition, I say a few words with reference to the speeches which we have just heard. On the part, not only of my own friends in the House, but of the whole House, I venture to tender our acknowledgments and thanks to the noble Earl at the head of the Government, for the very much longer and fuller statement than what I am given to understand has been communicated to the other House of Parliament, regarding the proceedings of the Cabinet during the last week, and, indeed, of the whole period during which Her Majesty's Government have been in office. In the first instance, I hope your Lordships will at once give me credit for my desire, on grounds of taste as well as discretion, to refrain from saying one word—whatever the opinion I may have formed—on the differences between the Prime Minister and the noble Earl who has just sat down. It would, indeed, be almost impossible to do so, because there would be very great difficulty in following the statements of the two noble Earls, because we are still very much in the dark as to the circumstances which led to the painful alternative which the retiring Members of the Cabinet thought it their duty to adopt. But what I rise for is to say, that I can entirely confirm the statement of the noble Earl at the head of the Government as to the position he took when assuming office. My recollection is exactly the same as his—that he then stated, in this House, fairly and frankly, that, in respect of the question of Reform, he considered himself free to act according to the circumstances of the time, and to what appeared to him the public exigencies required when the time came. It is true that in a few days after a statement was made by the Leader of the House of Commons which gave rise to a very different impression in the country; but until to-day we were not aware of what the noble Earl has stated, and which is no doubt correct, that almost immediately after they came into office the present Cabinet did arrive at the conclusion (which, no doubt, was the right one) that it was desirable they should deal with the question of Reform. The noble Earl has told us what course they took in order to give effect to that conclusion. They thought it desirable, by very vague and very indefinite Resolutions, to try what the temper of the House of Commons was with regard to this great question. With regard to that I raise no question; but what I do complain of is that, from the statement of the noble Earl at the head of the Government and the noble Earl who has just spoken, it appears that during the eight or nine months which elapsed from the time when they made up their minds that it was right to deal with the question to the period when they placed those Resolutions before the House of Commons, the Ministers not only did not make up their minds on any practical measure, but did not even come to a decision among themselves as to the principles on which it was advisable to deal with the subject. I do think the noble Earl who has just spoken has shown a very proper feeling in not dealing with that part of the Prime Minister's speech in which he intimated he was surprised at the course which three of his Colleagues deemed it their duty to take. It is quite clear that no real decision of the Cabinet had been come to as to what the meaning of the Resolutions solemnly laid before the House of Commons was in their minds and wishes destined to bear. There is only one other subject on which I will make a remark. The fact is, on an occasion like this I should have preferred to say nothing; but I think I ought to observe that the Resolutions were withdrawn in favour of a Bill which, according to the statements of the two noble Earls, was approved neither by the majority nor by the minority of the Cabinet. It appears to me, I must confess, a most extraordinary way of settling differences to have taken a third course, which was equally disagreeable to both the majority and the minority, And, with reference to one observation made by the noble Earl the First Lord of the Treasury, I must deny that any Parliamentary action was taken on the proposals of the Government. There may have been individual speeches made on the subject. In those cases the speakers stated that they spoke for themselves; but as for the acknowledged Leader of the Opposition, no one can say that he did not show a perfect readiness to adopt the mode which the Government thought the best for dealing with the question. On the contrary, speaking of the proposal to proceed by Resolutions, he said that, though he thought it a bad mode of dealing with the question, and though many of his friends were of the same opinion, yet as that mode had been adopted by the Government, he was ready to consider their Resolutions. I am entitled to say, therefore, that though doubts were expressed, and suggestions thrown out, by various speakers, there was no Parliamentary action with respect to the Resolutions produced by the Government, or the very full sketch of a Bill given by the Chancellor of the Exchequer on a subsequent occasion. We have heard from the noble Earl who has felt it necessary to retire from the Government (the Earl of Carnarvon), though he was prepared to go as low as household suffrage, something about the other Bill which is to be produced; but we do not know how much lower the majority of the Cabinet are prepared to go. The noble Earl the First Lord of the Treasury spoke of the difficulty of passing a Reform Bill. Every one is aware of that difficulty; but this I will say—that during the last fifteen years there has not been so favourable an opportunity as exists now of passing a measure of Reform which will be satisfactory to the country and settle the question. This opportunity can be frustrated only by the fault of one side or the other. It can be frustrated either by factious opposition on our part, which I hope and believe will not be offered; or, on the other hand, by the inadequacy of the measure to be brought in by the Government. I therefore hope the Government will take advantage of the time which will elapse between this and the bringing in of the Bill—a fortnight or three weeks, I believe [The EARL of DERBY: A fortnight]—I hope they will take advantage of this time in considering what sort of Bill the country really requires, and in endeavouring to frame it in a simple and direct manner, and with as little tendency as possible to puzzle and mystify Parliament and the country. I am not authorized to go further than to express my own conviction, but it is one founded on conversations which I have had indiscriminately with many Members of both Houses—it is, that if the Government approach the question in that way, the party with which I have the honour to be connected will meet them in a cordial and hearty spirit.

EARL GREY: My Lords, I cannot adequately express the regret and concern with which I listened to the statement of the noble Earl (the Earl of Derby). I heard that statement with great regret—in the first place, because of the occurrence itself which has taken place; I heard it also with regret because I felt that, after what has been stated to us, there is little chance of this great question of Parliamentary Reform receiving that amount of careful consideration which it ought to obtain in the present Session of Parliament. I regret it most of all because it seems to me that the speech of the noble Earl introduces a novelty into Parliamentary practice, and announces a new system of carrying on the Government of the country, which I believe to be as disastrous to the public welfare as it is certainly unprecedented. If I correctly understood the noble Earl, it seems to me that the view of Her Majesty's Government was that they should come down to the House of Commons without any regular plan of Reform prepared on their own responsibility, and should endeavour to ascertain what were the views of the House of Commons, and act accordingly. My Lords, I thought such a course had been disclaimed. I thought that we had been told upon very high authority that Her Majesty's Government did not come down to the House of Commons to fish for a policy. I do not understand how those two statements can be reconciled. I have always believed, and believe still, that previous inquiry into this great question would have been better before any attempt was made to legislate on the subject. But did that imply that Her Majesty's Government was not ultimately to be responsible for the measure introduced? Far from it. In my opinion there were two courses, and only two courses, open to Her Majesty's Government. They might have either determined to attempt legislation in the present Session, or they might have determined—and I do not conceal my own opinion that it might have been the wisest course — that before legislating certain preparations were necessary. Had they adopted the second of these views, there was then an obvious course for them to have taken. They might, when Parliament met, have proposed Resolutions laying down the main principles on which Reform ought to take place, and then proceeding to pray Her Majesty by Address to institute in some mode or other an inquiry as to the best mode of carrying those Resolutions into effect. I believe that such an inquiry would have been attended with very great advantage, would have thrown much light upon the subject, and would have satisfied the country as to the soundness of the proceeding about to be adopted, and thus have done very much to bring all parties to an agreement. Whenever that inquiry was completed a measure founded upon its results might have been framed by Her Majesty's Government on their own responsibility, and submitted to Parliament in the ordinary manner. There was another very great and difficult subject urgently requiring to be dealt with more than thirty years ago, regarding which at the time there was the greatest conflict of opinion, no two persons agreeing how it ought to be settled. I advert to the question of the reform of the Poor Law. On this most difficult subject the Government of the day appointed a Royal Commission, which was presided over by a very able Prelate, the late Bishop of London, and by the Report of that Commission the Government were enabled to frame and pass a Bill with general assent, which they would in vain have endeavoured to obtain without previous investigation. Something of the same sort might have been done here when once the main principles of Reform had been decided on by Parliament; and this would have tended to an earlier and more satisfactory solution of the question than is now likely to be attained. This, I say, is one course that they might have adopted. If, on the other hand, they determined to legislate without such a Royal Commission, then there was only one course they could have taken with propriety — they should have appointed last autumn the ablest men whom, under the circumstances, they could command, to collect all the information which was necessary to enable them to come to a sound judgment. And the information so collected ought to have been submitted to a Committee of the Government charged with the preparation of the Bill, following the precedent of 1830-1. Such a Committee might have prepared a scheme which, after being considered and adopted by the Government, might have been submitted to Pariament. With a view to the adoption of either of these courses, it would have been a very proper mode of proceeding to submit suitable Resolutions to Parliament. But if the Government intended to legislate this Session, it is quite obvious that Resolutions could lead to no useful result whatever, unless they were founded on a clear and definite view of the subject already adopted by the Government, and contained a distinct explanation of the main provisions of the Bill they intended to propose. The Resolutions actually submitted to the House of Commons were of a totally different character. They could not have been more vague if they had been intended as the preliminary to inquiry, and not to legislation; they decided nothing, and any man at all favourable to any kind of Reform might, with some slight reservations, have adopted them. To bring forward such Resolutions by way of founding a Bill upon them appears to me to have been really a mockery of Parliament. Now, we stand in this position — we shall have had no less than six weeks of the Session wasted before any step whatever is taken. At the expiration of that time, we are then, as appears from the statement made by the noble Earl to-night, with the views of the Government most fluctuating and undecided, to hope that in the course of a few days a Bill worthy of the acceptance of Parliament may be prepared. I would ask any man of ordinary understanding, whether he believes that a subject of this extreme difficulty can be satisfactorily dealt with in this way? For, remember what we have to accomplish. We have not merely to decide to what extent the franchise shall be lowered; but we have to consider with the enlarging of the franchise what other changes may become necessary, in order that the House of Commons may be so constituted as properly to discharge its high functions. Think of what enormous importance it is that the House of Commons should be so constituted. Our desire is that the country should be well and wisely governed. We want to have the House of Commons, both by its legislation, and by its advice and control, directing the Executive Government in a wise course of administration. Now, for that purpose it is necessary that the House of Commons should not merely consult the passing wishes of the majority of the population, it is necessary that the House should be so constituted that the highest intelligence to be found in the nation should be there adequately represented, and should exercise its due influence. A mistake once made in altering the constitution of the most powerful body in the government of this country is irretrievable. It is one of those things in which, if error is committed, you cannot retrace your steps; a mistake once committed may prove fatal. It is therefore most necessary that whatever is done should be done with due consideration and with the greatest possible care. I, for one, can hardly anticipate that when the question now to be dealt with is submitted to our consideration, the Bill drawn up by Government can exhibit that statesmanlike foresight of future difficulties which I believe to be essential in dealing with the constitution of this country, and with our most artificial and complicated social relations. I cannot bring myself to believe that the matter is either so simple or so easy as some suppose. There are considerations of the deepest importance to be taken into account before you decide on the propositions which ought to be adopted. Not anticipating that a discussion of this magnitude could have occurred to-night, I have been compelled to express very inadequately my sentiments with regard to it; but, after hearing the statement of the noble Earl, I felt bound, at however short notice, to express the strong feelings which I entertain. I could not allow this occasion to pass without protesting against the manner in which this question is proposed to be dealt with.

THE EARL OF DERBY: My Lords, I have no desire to complain of the manner in which the noble Earl opposite (Earl Granville) has discussed the statement which it was my duty to bring before the House, or yet of the good-humoured criticism in which he has indulged upon the course taken by the Government. There was only one point on which, I think, the noble Earl was guilty of a slight amount of exaggeration. He stated that eight or nine months after the formation of the Government the Government themselves had not in the slightest degree arrived at an understanding concerning the foundations of the Bill they were about to introduce. The time may have seemed long to the noble Earl opposite; but I venture to inform him that, up to the present moment, Her Majesty's Government have not been eight months in office. If the noble Earl will calculate the lapse of time from July 11, when the new Ministry was formed, to March 4, he will find that Her Majesty's Government have not been, as I have said, eight months in office, so that the noble Earl can hardly say that eight or nine months were wasted over the preparation of a Reform Bill. The noble Earl has said, then, that it was not until after eight or nine months from the time the Government came into office that its Members agreed among themselves upon the principles of the Bill which they would introduce. My reply is that, with regard to the principles of the Bill and its main provisions, Her Majesty's Government were perfectly agreed in the month of November last; and the only question then remaining for discussion among them was as to the extent to which the franchise should be extended. That was a very important question, upon which, I admit, we desired to ascertain the opinion of Parliament and the country generally. With regard to the criticism of the noble Earl who has last spoken (Earl Grey), I understood him to say that the Government should have taken one of two courses—either to have introduced a measure on their own responsibility, and have declared they would stand or fall by it; or else to have referred the whole matter to a Commission for the purpose of settling what should be the principles of the Bill afterwards to be introduced. With reference to the first course, I have to say that we profited by the experience of our predecessors; if we had followed their example—that is, if the Government had determined to stand or fall by their Reform Bill—the probability is that one Government after another would have come forward, none of them would have stood, but each would have fallen, to the perpetual interruption of public business, to the continued absence of all agreement, and to the certain destruction of any measure of Reform, no matter by what party it was proposed. And what if we had taken the other course which he says we should have followed? Does the noble Earl for a moment think that the country, excited as it was, would have allowed us to delegate the whole of our authority to a Commission, sending it over the country to inquire upon what principles the Reform Bill should be framed? The late Government thought they had ample information to legislate upon, and we had all the information they had obtained, together with such further information as we had been able to collect ourselves. What would be the object of a Commission? To frame a Reform Bill? But what would have been the language of the House of Commons if we had pursued this second course which the noble Earl insists we should have followed? The House of Commons would have told us our proposal was a makeshift, and have said, "You are abdicating the functions of your office; you are loosening the reins of Government; you are proving yourselves utterly unworthy of confidence; and, shirking your duty, you endeavour by plausible pretexts to retain office for another year, and seek to stifle the question of Reform." Such, I think, would have been the result of adopting either of the two courses recommended by the noble Earl. I quite agree with the noble Earl's description of what it is desirable the House should be; but, I venture to think the noble Earl's views in this respect are Utopian; he looks for an amount of perfection in the House of Commons which no Reform Bill will ever produce; I go further, and say that, whatever change you make in the Constitution, I doubt whether you will obtain as the result a House of Commons more truly representing the feelings of the people of this country, or more judiciously, more wisely, and more impartially consulting the benefit of all classes of the community. But it is, nevertheless, true that under the present system a large number of persons are excluded from the suffrage, although they are fit to accept the responsibility attaching to electors, and I believe some of those excluded would exercise the privilege of voting intelligently, honestly, and wisely. These, then, if they had fair play, should be admitted. But the question is to what extent the class to which they belong should be admitted, and what arrangement could be made so as to prevent the electoral body being swamped by its largest and least able portion. This is not a question of principle—it is a matter of detail requiring very close and careful consideration, and I say it is not unworthy of a Government, before they commit themselves to any measure, to ascertain the general feeling of Parliament and the country—to take the House of Commons, as it were, into council—and to be guided by it—not as a matter of principle, as to which they are bound to exercise their own judgment —but as a matter of detail, so as to produce a measure that will be likely to meet the general wish and give general satisfaction. That, my Lords, is the vindication of the course Her Majesty's Government thought, and still think, it most consistent with their duty to take, and that duty to the best of their belief they have endeavoured to perform.

Earl GREY: I have no right to address your Lordships again, and will not, therefore, trespass upon your time further than to say that I trust your Lordships who have listened to me will recognise how entirely the noble Earl who has just sat down has misunderstood the whole scope of my argument.

BISHOPRIC IN CORNWALL.

PETITION.

The Earl of DEVON *presented* a Petion of Inhabitants of Cornwall, praying for the establishment of a Bishopric in that county. The noble Earl said, that the large population and great area of the county, and the distance of the petitioners from the residence of the Bishop, who at present presided over their clergy, justified their prayer, in his opinion, and he trusted the petition would meet with the favourable consideration of their Lordships.

THE BISHOP OF ELY said, there were several arguments besides those employed by the noble Earl (the Earl of Devon) in favour of the division of the diocese. The difficulty of managing a diocese like that of Exeter did not arise solely from its size and population, but was also to be found in the number of its clergy and the extent of its area. The population was nearly 1,000,000, and was, in fact, by far the largest contained in any agricultural diocese. It was more than one-sixth of the whole population of Ireland, and yet Ireland had ten Bishops; it was more than one-third that of Scotland, and as large as that of the whole of Wales, which, with a nearly equal population, had four Bishops. The population of the diocese of Exeter is as nearly as possible equal to that of the four dioceses of Carlisle, Hereford, Bangor, and St. Asaph put together. Therefore, comparing the population of the diocese of Exeter with other populations, their Lordships must arrive at the conclusion that it was most inadequately represented by one Bishop. The diocese of Exeter, too, contained nearly 1,000 clergy, more than were to be found in any diocese except London and, possibly, Norwich. The acreage was far larger than that of any other See, Durham, the next largest, containing less by 500,000 acres. Its acreage was about equal to that of South Wales, which possessed two Bishops, and he felt certain that those Bishops had as much work as they could manage. Another consideration was to be found in the difficulty of access to many of the Cornish parishes, the nature of the two counties being exceedingly unfavourable to locomotion. Devon and Cornwall were particularly rugged, and, though not so mountainous as Wales, travelling was more difficult, because in a mountainous country the roads were generally formed in such a manner as to avoid or go round any difficulty that might be in the way—whereas in Devonshire and Cornwall the roads were cut straight through the country. But, in fact, railways afforded very little facility to Bishops in visiting the parishes in their dioceses, for Bishops on such occasions were obliged to go to villages long distances out of the way of railroads. The populations of the two counties were, too, entirely different in character and race. The population of Cornwall was Celtic, self-reliant, and much inclined to the Wesleyan form of worship; and, having himself been a Cornish clergyman, he could, from experience, bear testimony to the fact that clergymen in Cornwall felt that a Bishop residing at Exeter, 150 miles from many parishes in his diocese, could enter but little into the feelings and wants of the population of Cornwall. He might add, that the division of the diocese, as proposed by the petitioners, would amount merely to the restoration of the ancient order of things, for there used formerly to be a See at St. Germans. Objection had been made, and probably would still be made, to any increase of the Bishops, on the ground that they possessed no power. He was, unfortunately, compelled to acknowledge that their coercive power was very small—so small, indeed, that a Bishop was frequently not only unable to remove a clergyman guilty of gross immorality, but was compelled to suffer heavy pecuniary loss, simply because he endeavoured to perform his duty. Still, however, Bishops possessed very large powers. The correspondence of a Bishop formed a very large part of his duties—he received on an average, he believed he might say, little short of 5,000 letters a year from the clergymen and laity in his diocese, asking for advice and assistance; and when these letters were responded to, it was very rarely that the advice of the Bishop failed to meet with a hearty and cordial concurrence. Another objection sometimes urged is, that the creation of a bishopric for Cornwall would be like an aggression on the Wesleyans, who now preponderate so much in that county. Although the Cornish people were so far alienated from the Church as to be to a great extent Wesleyan Methodists, he denied that they had any strong hostile feeling against the Church. The Wesleyanism of Cornwall was not the same as the Wesleyanism of many other parts of the kingdom; and he could testify from his own personal experience that, on the contrary, they had a strong feeling of attachment and adhesion to the Church, and that they frequently expressed a desire to see a Bishop in Cornwall. Wesleyanism had at one time exercised, with most beneficial effect, a great deal of influence over the poorer classes in Cornwall and in the north-western counties; and many of those who were alienated from the Church were saved from immorality and infidelity by the benign influence of the Wesleyan Methodists. He was sorry to say that, especially in the northern counties of England, that influence was gradually waning, and that in towns, like Leeds and Liverpool, it was giving place, not, he was sorry to say, to the influence of the Church, but to irreligion and open infidelity. He acknowledged with thankfulness that the Wesleyans had done a noble work ; but as their influence was fading away, was there any reason why a Bishop should not be created, whose presence would add to the strength of the Church in Cornwall, and to the cause of morality and good order ?

Lord VIVIAN anxiously hoped that their Lordships would not accede to the prayer of the petition. The petition purported to have been signed by 1,600 persons ; but, in his opinion, a far greater number of signatures might easily have been obtained against its prayer. He could not see what advantage Cornwall was to obtain from the creation of this bishopric. Although the diocese, which included the county, was presided over by an aged and infirm Bishop, yet still, under ordinary circumstances, the railways and high roads afforded great facilities for the performance of the duties which that Prelate had to discharge. He trusted that if money was to be expended upon the spiritual welfare of the county it would be given to the poorer clergy of the diocese, many of whom wanted and deserved assistance, instead of it being expended upon the salary of a Bishop. He was not a Wesleyan, but a Churchman, and he thought that in Cornwall they were better without a Bishop than they would be with one.

The Bishop of GLOUCESTER and BRISTOL said, that last year he was in Cornwall and officiated at a confirmation in the remotest part of the county. On that occasion he had had an opportunity of conversing with very many of the clergy and of the laity of Cornwall on the subject now under discussion, and he must say simply and frankly that he found among them a warmth of feeling, a heartiness of expression, and a depth of desire that did them very great credit. He had, of course, alluded in those conversations to the present state of things, and had pointed out that the present venerable Bishop was in a great degree precluded from making those visitations which were necessary to the performance of the duties of the diocese; and he put the case whether, in the event of the Bishop being middle-aged, and in possession of his full powers, they would still desire a Bishop for Cornwall. The reply was, "We desire a Bishop for Cornwall above all things; we feel that we are separated in a great degree from the neighbouring county of Devon, and we desire to have a Bishop to dwell among us, to sympathize with us, and to guide us; one who will gather up the strong Church feeling which exists in Cornwall, and who will at the same time conciliate those who do not conform." He had seen none of the feeling of antagonism to the Church to which the noble Lord opposite (Lord Vivian) had alluded; and from the experience he had obtained elsewhere he believed that the Wesleyans, who were earnest and true-hearted men, desired that the Church should be efficiently managed. He had never seen any hostility on the part of the Wesleyans to the Church, but rather the Christian desire that all things should be built up and well ordered. He must still maintain the opinion that were a discreet, kind, and considerate man to be appointed Bishop of Cornwall, not only would there be no opposition on the part of the Nonconformist, but he would be welcomed with all heartiness. Having travelled to the most distant parts of that county, he found communication to be exceedingly difficult. He trusted that their Lordships' favourable attention would be given to the prayer of the petition; and in asking that, he might say that he had no ulterior views, thoughts, or projects for turning their decision in the present instance into a precedent for the creation of more bishoprics in other parts of the kingdom; but only desired to speak honestly and heartily in favour of this part of our country having the presence and guidance of a Bishop among them.

Lord WHARNCLIFFE said, that as he was a landed proprietor in Cornwall, and as he had never heard a word of such a petition as this being in contemplation, he inferred that no pressure had been used to obtain signatures to it. He thought that the Government were bound to take the matter in hand, and to determine whether or not there was such a necessity for the creation of the bishopric for Cornwall, severed from the bishopric of Exeter, as was set forth in the prayer of the petition. The presence of a Bishop, and his kindly intercourse, especially with the poor, in the county of Cornwall, would, he believed, produce a most decided re-action among the population favourable to the Church of England. He therefore did hope their Lordships would seriously entertain the prayer of the petition, and that the Government, if they saw their way to appoint another Bishop, would not hesitate to do so.

Lord **HOUGHTON** regretted that the right rev. Prelate who spoke first after the noble Earl who presented the petition (the Bishop of Ely) had thought it necessary to fortify his argument by reference to the alleged decline of Wesleyan Methodism. Living, as he did, in a large manufacturing district, and seeing the extensive prevalence of that body, he could not let pass the assertion of the right rev. Prelate that its influence had declined. He believed the Church had a great deal of real sympathy from the Wesleyan body. He remembered that it was the saying of Dr. Hook that Wesleyanism was the Establishmentism of the West Riding, and he believed he was very willing to accept their assistance in that character. With reference to this petition he would make one remark. He was very glad the right rev. Prelate (the Bishop of Gloucester and Bristol) treated it as a special case. It was, indeed, a very special case; because from the unfortunate state of the present Diocesan's health the whole diocese of Exeter was actually without the administration of a Bishop. It was therefore a most unfortunate moment to bring forward the special case, when the venerable Prelate who presided over the diocese was weighed down with age and sickness; but who yet, even under these circumstances, showed great intelligence and activity of mind. He hoped the Government would pause before taking action on the petition. He saw great difficulty in increasing the number of the Episcopal Bench, and the Government would have to consider, not only the individual case, but also the great political question involved.

Lord **LYTTELTON** was disposed to give the proposal his most hearty concurrence, though he might prefer some more general measure; and he ventured to say unless such a measure as his noble Friend advocated, if brought into the House, met with more formidable opposition than had been indicated to-night, he should have very little apprehension of the result.

Petition *ordered* to lie on the table.

House adjourned at Seven o'clock,
till To-morrow, half past
Ten o'clock.

HOUSE OF COMMONS,

Monday, March 4, 1867.

MINUTES.]—New Member Sworn—Arthur Hugh Smith Barry, esquire, *for* Cork County.

Public Bills—*Second Reading*—Oyster and Mussel Fisheries [61].

Committee—British North America [52].

Report—British North America [52].

Considered as amended—Duty on Dogs [36].

REPRESENTATION OF THE PEOPLE—BOROUGH FRANCHISE.—QUESTION.

Mr. **WARNER** said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will be willing to re-consider the expediency of adopting in the Reform Bill the principle of his abandoned Resolution No. 5, and to discuss, as a possible basis of Borough Representation, the following or some similar proposition:—Occupiers who for two years have been rated to the poor, and not excused on the ground of poverty, to have one vote for each Member to be elected; Residents in the Borough who for two years have been assessed to House Tax or to Property or Income Tax upon the full scale to have one vote for each Member to be elected; Persons entitled under both qualifications to vote under both?

The **CHANCELLOR** of the **EXCHEQUER**: The hon. Gentleman will, perhaps, allow me to answer that Question at another time.

CASE OF THE "TORNADO."—QUESTION.

Mr. Alderman **LUSK** said, he would beg to ask the Secretary of State for Foreign Affairs, If he has any objection to lay upon the table of the House the following documents, which appear to have been omitted from the printed Correspondence presented to the House respecting the seizure of the *Tornado*:—First, the enclosures in the owners' letter to the Foreign Secretary, dated the 26th of November last—namely, the copy of the Ship's Register and Bill of Sale; the copy of the Shipping Articles, or agreement with the crew; and the copy of the Customs clearance from the port of Leith. Second, a letter from Mr. Saul Isaac, to the Foreign Secretary, dated Cadiz, November, 1866. Third, a letter addressed to the Foreign Secretary by the owners of the *Tornado* on the 15th ultimo?

Lord STANLEY: The first set of papers, Sir, to which the Question of the hon. Gentleman refers were omitted from the blue book merely because they were very voluminous, and the whole purport of them was to be found in other parts of the Correspondence. As, however, the hon. Gentleman has called for them, and as there is no reason against their production, they can be printed in the appendix. With regard to the letter from Mr. Saul Isaac, under date of November, 1866, I cannot find any such letter. There is one, however, written in October, 1866, and perhaps the hon. Gentleman will communicate with the writer and let me know whether that is the letter to which he refers. With regard to the letter of the 15th ultimo, that will also be produced. It was received since the publication of the blue book.

SANITARY CONDITION OF LIVERPOOL. QUESTION.

Mr. SAMUELSON said, he would beg to ask the Secretary of State for the Home Department, Whether he will lay upon the table the recent Report of Mr. Taylor on the sanitary state of certain parts of Liverpool, and on the condition of the dwellings of the poor in that town; and whether he has received from the local authorities of that place any satisfactory assurance that the recommendations of Mr. Taylor will be promptly carried into effect?

Mr. WALPOLE: Sir, the Report of Mr. Taylor is a very long and a very valuable one. It has been only recently delivered at the Home Office, and I have not yet had time to go through it, but when I have done so I will inform the hon. Gentleman whether it can be laid on the table.

SPIRITS, BEER, AND WINE LICENCES. QUESTION.

Mr. PEASE said, he would beg to ask the Secretary of State for the Home Department, Whether the attention of Her Majesty's Government has been drawn to the evils arising from the fact that a separate jurisdiction exists for granting Licences for the retail sale of Spirits, Beer, and Wine; and, whether Her Majesty's Government propose to bring in a Bill to place the granting of these Licences under one jurisdiction?

Mr. WALPOLE: The matter, Sir, referred to by the hon. Gentleman has been brought under the notice of Her Majesty's Government in a vast variety of forms, in the several different applications made to the Home Office on the subject. Some particular applications are at this moment under the consideration of Her Majesty's Government; but until they have all been thoroughly examined, I am not prepared to state to the House what course the Government will take.

ARMY ESTIMATES.—QUESTION.

Captain VIVIAN said, he would beg to ask the right hon. and gallant Gentleman opposite, Whether he proposes to make his statement on the Army Estimates to-night, the Supplementary Estimates having been laid upon the table only that evening?

General PEEL: I do not propose to take any Vote with regard to the Supplementary Estimates. If the House will permit me I propose to go on with the ordinary Estimates.

Mr. OTWAY said, he wished to know, whether the number of men to be voted for the year's service was not settled by the first Vote? But as certain rumours were afloat, it was open for the House to surmise that the successor of the right hon. Gentleman might not agree with him as to the proper number to be voted for the year's service. ["Order!"]

General PEEL: The first Vote will be that for the number of men. It would be of the greatest possible convenience to the House that I should explain the grounds upon which these Estimates have been framed. I propose to bring them forward to-night, and there would be no use in my doing so unless we were to take the Vote for the number of men, of which, I trust, I shall be able to give a very good explanation. I am sure the House will acquit me of any wish to deceive them. I wish to give the House the opportunity of separating the two Estimates, in order that it may have the opportunity of agreeing or disagreeing with the proposals I shall make with regard to the Supplementary Estimates. The Supplementary Estimates have nothing to do with the ordinary Estimates; but if there is the slightest wish I will postpone my statement.

Mr. GLADSTONE: There is no Gentleman in this House who would think of imputing to my right hon. and gallant Friend a wish to deceive anybody in the House or out of it; but I am bound to say that the question as to the number of men is one directly and essentially connected with the strength of the reserve which you propose to establish. If the public service requires that there should be a Vote of money taken in Supply, of course there is an easy expedient—to take a Vote on Account. The statement can be made without taking the Vote, and I hope my right hon. and gallant Friend will give us an assurance, which I am convinced is required by the facts of the case, that he will not propose to take the Vote for the number of men to-night.

General PEEL: I will postpone my statement until Thursday, and the House will have then an opportunity of seeing what I propose to do. I have no desire to bind the House to anything until I have made my explanation.

REPRESENTATION OF THE PEOPLE.

MINISTERIAL EXPLANATIONS.

Mr. GLADSTONE: I rise to ask the right hon. Gentleman the Chancellor of the Exchequer, whom I understood to intimate just now that he would answer to-night the Question put to him by my hon. Friend the Member for Norwich (Mr. Warner), Whether it is his intention to give that answer, perhaps in combination with some other matters with which of course I have nothing to do, upon the Motion for the House going into a Committee of Supply?

The CHANCELLOR of the EXCHEQUER. It is.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

REPRESENTATION OF THE PEOPLE.

MINISTERIAL EXPLANATIONS.

The CHANCELLOR of the EXCHEQUER: Sir, since I last had the honour of addressing the House, the majority of the Cabinet having resolved to recur to their original policy with respect to the borough franchise and to establish it, in their belief, upon a sure, extensive, and permanent basis, I deeply regret to say that three of our Colleagues have felt under the necessity of tendering their resignations, which have been accepted, and they hold their seats only until their successors are appointed. I still more regret to say that among them is one whose name I am sure will ever be mentioned in this House with honour and regard—my right hon. and gallant Friend the Secretary of State for War (General Peel). I need not refer to his readiness and personal wish to have the opportunity of explaining to the House those Estimates and that policy which he has recommended to his Colleagues, and which they have adopted and sanctioned. I am sure that neither myself nor any of his late Colleagues for a moment wish to stand in the way or to take objections to his doing so, and I hope that my right hon. Friend, as still Secretary for War, may have the opportunity which he desires. But I have to tell the House that arrangements have been suggested which, when they have been submitted for Her Majesty's pleasure and have been sanctioned by her approbation, will allow me to state that the Government of Lord Derby is complete, and I believe it will be in my power to make that announcement on Friday. Perhaps the House will also allow me to indicate the course which Her Majesty's Government propose to pursue with respect to the Reform Bill. They propose to introduce it on the 18th of this month. They propose likewise to ask the House to take the second reading, if convenient, on the Monday following. There will then remain ample time for complete discussion of the measure. If the measure be accepted, as soon as consistent with the public business we can go into Committee, and I shallmake a proposition on the part of the Government that the House shall sit in Committee on the Bill *de die in diem*.

Motion, by leave, *withdrawn*.

Committee *deferred* till *Wednesday*.

BRITISH NORTH AMERICA BILL.

(*Lords*.) [BILL 52.] COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

Mr. OSBORNE: I cannot help thinking, Sir, that the time has arrived when, after having been kept for three weeks in the dark as to the policy or intentions of the Government, some further explanation is due to the House. ["Order!"] I am speaking, Sir, on the Motion that you leave the Chair.

Mr. SPEAKER: The House is now

proceeding on the Motion for going into Committee on the British North America Bill.

Mr. OSBORNE: I was about to move, Sir, on the Motion that you leave the Chair, that the House do now adjourn. I cannot think that I am taking any liberty with the House in moving the adjournment. This is no common period in the history of Parliament. Sir, what has happened? For three weeks this House has been kept in the dark as to the proceedings of the Government. The right hon. Gentleman the Chancellor of the Exchequer came down, not on the first night of the Session, but on the Monday following, and, like Cagliostro expounding the secret of the philosopher's stone, he left us as much in the dark as we were before. And what has now happened? We are told that the Government is about to recur to its original policy. I wish to ask the right hon. Gentleman, or, at any rate, some of his Colleagues that are left, or possibly those that have gone, what the original policy of the Government was? This House has a right to demand what it was. Whether it was to land us in an £8 rating or in household suffrage no man in this House or the country knows. It is but decent to this House—it is, at any rate, what the country demands, that the right hon. and gallant Gentleman—whether he is the late or the present Secretary for War I am not able to say—whom we all admire and respect for his consistency and also for his noble abnegation of self, that he, or at least the noble Lord the Member for Stamford (Viscount Cranbourne), should tell us what that original policy was, or why they have left Her Majesty's Government? I will not press the right hon. and gallant Gentleman the Secretary for War on this occasion, because he is still sitting on the Treasury Bench, and possibly some other policy may be initiated which may keep him there; but I ask the noble Lord, who I am sure will not scruple to tell us, the reason why he has left the Cabinet. I ask the question out of no vulgar curiosity, but because it is an explanation to which not only this House, but the constituencies which sent us here are entitled. I am surprised that such a duty should have devolved on so humble a Member as myself; but I am sure that I only reflect the common sense of the country in asking why the noble Lord has left the Government, and what is the original policy to which the Government have recurred after three weeks' consideration. I beg, Sir, to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Osborne.*)

Colonel SYKES said, that some nights ago, in Committee of the House, a sum of £6,000 was voted for excess of expenditure, and he wanted to ask the Secretary of the Treasury what this was for? ["Order!"]

Viscount CRANBOURNE: I regret to say, Sir, that my reply to the hon. Gentleman must necessarily be brief. He must be aware that it is not in the power of those who have had the honour of forming part of Her Majesty's Government to speak as to what has taken place without the permission of Her Majesty. That permission I have not received, and I therefore regret to say that I cannot satisfy the hon. Gentleman.

Mr. OSBORNE: I give notice that I shall renew the Question at the first opportunity.

Mr. GLADSTONE: I think, Sir, the answer which has just been given by the noble Lord is one which is perfectly sufficient and conclusive. At the same time, I am bound to say that I do not think any blame attaches to my hon. Friend the Member for Nottingham (Mr. Osborne) for referring to the terms in which another disclosure or revelation has to-night been made to the House. The right hon. Gentleman the Chancellor of the Exchequer did not confine himself in the brief statement that he made within necessary bounds. He did not merely state that alterations had occurred which would call for time in order that Her Majesty's Government might well consider their course; but, as has been observed by my hon. Friend, he also told the House that the Government had "recurred" to their original policy. Now, Sir, that is an explanation which imports more difficulty than it removes, and I own I am sorry that such a declaration was made; because the mind of every man who heard the right hon. Gentleman must have immediately conceived—indeed, it was involved in the very words—that the original policy which has now been revived was, at the time when it formerly existed, the policy of the entire Cabinet, including, therefore, of necessity, the three distinguished persons of whose services the Government have now been deprived. At this critical moment, therefore, when I am sure the House would gladly have consented, with that delicacy and justness of feeling for which it is so remarkable, to abstain from all inquisition, the expressions of the right hon. Gentleman most unfortunately have had the effect of casting upon his Colleagues who have retired the responsibility of some change of policy, which has been ostensibly the cause of the present embarrassment. I am sure the noble Lord and my right hon. and gallant Friend will forgive me if I point out that which appears to me to lie upon the very surface of the case, and that they will not for a moment presume that I am giving an opinion on the matter. I think, however, that there are a few words which it is necessary at this juncture to say on the part of the House. Four weeks have now elapsed since the House met, and those four weeks have not been, as they were last year, weeks of silence on the part of the Government, justified, or, at any rate, believed by us to be justified, for stated and substantive causes; but they have been weeks in which we have seen more than once an attempt to make a fitful and uncertain advance, to be followed by a speedy and unequivocal retreat. When Parliament met, a paragraph in the Speech from the Throne announced the intention of Her Majesty's Government to bring before us the question of the representation of the people, and great satisfaction was felt by us all when the right hon. Gentleman made the engagement, which he afterwards fulfilled, that on a very early day he would open to the House the views of Her Majesty's Government. When, however, those views were opened—I will not say anything either in praise or in blame of them—it certainly appeared to the House, and I think to the country, that instead of advancing with the question, we stood at a point somewhat behind that which we had occupied on the first night of the Session. There were, consequently, general demands for a further elucidation of the matter, and on Monday last the right hon. Gentleman brought down a plan and laid it before the House. We then for a second time—the first being the opening night of the Session—thought that progress was to be made. No debate took place upon that plan. A few remarks were made by myself—I am not sure whether any were made by any other Member—and those remarks certainly did not convey any intention to oppose that plan upon the second reading of the Bill that was to be introduced. No sooner, however, had that plan appeared than it also seemed to be smitten with paralysis, and there went forth rumours in London and throughout the country that that plan was itself to be withdrawn. Without Parliamentary opposition, almost without Parliamentary comment, that scheme has ceased to exist. At this moment we find ourselves at the point at which we originally stood. I have seen in a distant country an ancient Greek dance, in which the women, from moment to moment, commence by advancing three steps, and immediately afterwards continue the dance by retreating two steps. But our case is not quite so favourable, for, in the political dance of the present Session, if the advance has been three steps, the retreat has been of three steps also. Now, I advert to this matter not as a question between party and party, but because there are others besides ourselves who are interested in it; and it is essential, in my opinion, to the well working of the Constitution that the country should not lose, and that we should do nothing to diminish, the confidence which the country places in the House of Commons as a body capable and competent to deal with public emergencies when they arise, Therefore, I hope that at the point at which we have arrived we shall henceforward have one definite, consistent movement in the same direction. I am bound to say—and I do not fix the charge on the Government alone, I speak of the House of Commons without distinction of party—that unless we can convey to the mind of the country more distinct and definite convictions of our capacity to treat this great occasion with the force and decision it demands, not the Government alone, not those who sit behind them, but all classes of this great assembly of the Parliament of England will stand materially discredited in public opinion. I have said so much on the subject of procedure. With regard to the substance of the Bill, I do not intend to go into any further critisism, which I assure hon. Gentlemen opposite circumstances alone have extorted from me, and my deep conviction as to the somewhat critical position of the House itself before the country. I do not intend by that criticism to qualify anything that I may have previously presumed to say, on behalf of myself and others, with respect to the reception which we shall give to a definite proposal from the Government. I may venture to express, however, a hope that that proposal when it appears will be of a simple, straightforward, and intelligible character. I will not ask that it shall not contain what is new. It must contain what is new. But I will ask and I will express a hope that it will not contain what is new-fangled. The people of this country are eminently attached to simplicity of procedure, and I think there never was a moment when they were in mood less favourable for dealing with plans and schemes which might seem to them to deviate from the character of simplicity. I trust, above all, that the Bill of the Government may not be a measure containing two sets of provisions, one of them framed to have the semblance of giving, and the other constructed to have the reality and effect of taking away. I may perhaps be uncharitable in allowing my mind to be influenced, even in the slightest degree, by those rumours with which the air is thick and full; but it is not possible wholly to resist their effect. And I say, in conclusion, that if the Government, avoiding those dangers—serious, I think, for all public men, and more serious when the question has reached that state of complication and entanglement at which this question has unhappily arrived—if the Government, escaping those dangers, shall submit a plan, good, simple, ample, straightforward, constitutional, and intelligible in its character, I venture to promise that it will be received on this side of the House in no grudging spirit—with no recollections of the past, with no revival of those mutual suspicions and complaints which I grant may be bandied from either side of the House to the other, but with an earnest desire to bring the endeavours of the Administration to a speedy and prosperous issue. I wish to make an appeal to my hon. Friend the Member for Fife (Mr. Aytoun), with respect to the Bill for the Confederation of the North American Provinces, which is now proposed to be committed. My hon. Friend had given notice of his intention to raise a debate upon the 145th section, which relates to the construction of a railway which will unite the Provinces of British North America. I cannot help thinking, and I am sure I express the feelings of the Under Secretary for the Colonies, that it will be much better to wait for the proposal of the right hon. Gentleman with respect to the guarantee, than to raise the discussion of a question so important upon this clause in the Bill. Having read the clause with care, and having consulted upon it with

others, I venture to give the most confident opinion that it has no bearing upon the obligations of Parliament, and that the discretion of Parliament must remain entire, subject only to the announcement of the Government with respect to the proposed guarantee. Upon an early day there will be ample opportunity given for full discussion on the question; and therefore it will be better to allow the Bill to go through Committee, it being a matter which appertains—I will not say to the security, but to the dignity of the Empire, and which should proceed from stage to stage without unnecessary delay.

Motion, by leave, *withdrawn.*

Main Question put, and *agreed to.*

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 40, inclusive, *agreed to.*

Clause 41 (Continuance of existing Election Laws.)

Mr. E. W. T. HAMILTON said, he wished to ask whether it was intended to give the franchise to females, or to confine it to males? The clause as it stood said that "every British subject" of the prescribed age should have a vote.

Mr. ADDERLEY said, he presumed it was not intended that females should vote.

The word "male" inserted before "British subject."

Clause, as amended, *ordered* to stand part of the Bill.

Clauses 42 to 52, inclusive, *agreed to.*

Clause 53 (Increase of number of House of Commons.)

Mr. E. W. T. HAMILTON said, that in the clause a power was reserved of increasing the number of Members, and he thought it might be desirable to give the power of also diminishing it. The total number of Members who would be required for the general and provincial Legislatures would be 550, which might be found too many to be conveniently furnished from a population of 4,000,000. 550 Members would be equivalent to a population of 15,000,000. He was aware that the number had been settled by the delegates of the Canadian Provinces; but he wished them to have the power of diminishing the number if it should be found too large.

Mr. ADDERLEY said, that the population of the Provinces was rapidly increasing. The Bill had been drawn for a representation based on the existing electoral districts in the several Provinces, and such an alteration as the hon. Member suggested would involve a subversion of the entire arrangements of the measure.

MR. CHICHESTER FORTESCUE said, the greatest possible importance was attached in Canada to the maintenance of the electoral districts as they stood, inasmuch as any re-arrangement of them by a dominant majority might tend to interfere materially with the interests of the minority.

MR. KINNAIRD said, that the proposed Amendment would destroy the symmetry of the measure.

Clause *agreed to.*

Clauses 54 and 55 *agreed to.*

Clause 56 (Disallowance by Order in Council of Act assented to by Governor General.)

MR. E. W. T. HAMILTON said, he thought some greater limit should be put to the time during which Her Majesty had power to disallow any Acts that might be passed. Two years was too long a period for Her Majesty or Her Majesty's Government to consider whether they would allow or disallow a Bill. He also suggested that a provision should be inserted by which a Bill reserved for Her Majesty's approval should become law unless Her Majesty disallowed it within a certain specified time.

MR. ADDERLEY said, the clause before the Committee only provided for the disallowance of a Bill within two years. He would not discuss whether the time were too long or not; but he did not think that was the best opportunity to alter a rule with regard to the disallowance of Bills, which applied to all the colonies. He was satisfied, too, the hon. Member could entertain but little apprehension that Her Majesty would exercise her power in that respect in a manner injurious to the Confederation.

Clause *agreed to.*

Clause 57 *agreed to.*

Clause 58 (Lieutenant Governors of Provinces.)

MR. BAILLIE COCHRANE said, that in his opinion, the appointment should be made by the Crown and not by the Governor General. The Lieutenant Governor should come from England, and should be independent of and not hold office merely during the pleasure of the Governor General. With regard to the two Lieutenant Governors, who would be superseded by this Bill at Nova Scotia and New Brunswick, he wished to ask if any compensation would have to be made to them?

MR. CARDWELL said, that upon the score of pensions there was no difficulty in the case. The late Lieutenant Governors of New Brunswick and Nova Scotia had been provided for, the one having been made Governor of Hong Kong, and the other of Trinidad. The present Lieutenant Governor of Nova Scotia had been informed that he received his appointment only until the Bill before the House was passed, and he had accepted the office on that understanding. In New Brunswick the duties of Lieutenant Governor were being discharged by the officer in command of the forces; so that no claim for compensation would in either instance arise. On the general question that the Lieutenant Governor ought to be nominated by the Crown, he must say that he thought to adopt that course would be to act contrary to the whole spirit of the Act, which was to render the North American Provinces as far as possible one community, the Governor General representing the Crown, and being in communication with, and responsible to, the Colonial Office.

MR. GRENFELL said, great inconvenience might result in time of war if the Lieutenant Governor of Nova Scotia were not placed in direct communication with the Colonial Office.

MR. ADDERLEY said, he could very easily communicate with that office through the Governor General. He also considered that it was better the appointments of Lieutenant Governors should be made by the Governor General, entirely on his own responsibility, than that they should be vested in the Crown. Supposing the Crown retained the appointment, reference would have to be made to the Governor General to ascertain the qualifications of persons suitable for office. It was one of the objects of the Bill to strengthen the hands of the Governor General as much as possible.

Clause *agreed to.*

Clauses 59 to 68, inclusive, *agreed to.*

Clause 69 (Legislature for Ontario.)

MR. ROEBUCK said, that according to the Bill there was to be one Legislature for Upper Canada or Ontario, consisting of the Lieutenant Governor and one House, while the Legislature for Lower Canada or Quebec was to consist of the Lieutenant Governor and two Houses. He wished to know the reason of this difference.

Mr. ADDERLEY said, that the Representatives of Upper Canada preferred a single Chamber, and those who represented Quebec desired to retain their present two Chambers. The fact was that Lower Canada was a little more Conservative than Upper Canada, and preferred its existing local Legislature; which Upper Canada was ready at once to reduce to a municipality.

Mr. ROEBUCK said, he rather agreed with Upper Canada in this matter, because he fancied he saw some element of difficulty, with respect to the nominated Upper Chamber, which certainly could not arise where a Province only had one Legislative assembly. There was no aristocracy in Lower Canada, out of which a suitable Upper Chamber could be formed. Many years ago, representing the interests of Lower Canada, he had endeavoured to do away with the nominative Legislative Council. They now avoided that evil in Upper Canada, but they were perpetuating the evil in Lower Canada.

Clause *agreed to.*

Clauses 70 to 90, inclusive, *agreed to.*

Clause 91 (Legislative Authority of Parliament of Canada.)

Mr. E. W. T. HAMILTON said, he wished to know how a conflict of jurisdiction between the Parliament of Canada and the Provincial Legislatures was to be settled?

Mr. ADDERLEY said, he did not think that any serious conflict of the kind anticipated by the hon. Member could take place so long as a supreme power was vested in the Governor General to veto Acts.

Mr. ROEBUCK said, that the framers of the American Constitution foresaw this difficulty, and provided a Supreme Court, whose province it was to decide whether even the laws passed by Congress were illegal. This Bill, however, seemed a lopsided one, and contained no provision to prevent the passing hereafter of laws which might be unconstitutional. In other words, the Canadian Parliament would be supreme. Supposing the Governor General and the Parliament of Canada were to pass a law that the Municipal Constitution of Nova Scotia was in contravention of this very Act, who was to decide whether they were right or wrong?

Mr. CARDWELL said, he was afraid that the defect pointed out by the hon. and learned Member was not one which, in the present state of feeling in the North American Provinces, it was possible to remedy. As matters now stood if the Legislature of Canada acted *ultra vires*, the question would first be raised in the Colonial Law Courts, and would ultimately be settled by the Privy Council at home. No doubt it was a defect, but the point had undergone consideration by the delegates, who thought it would be better to leave things in this state.

Clause *agreed to.*

Clauses 92 to 144, inclusive, *agreed to.*

Clause 145 (Duty of Government of Canada to make Railway.)

Mr. AYTOUN said, that he had placed on the paper an Amendment to the effect that this clause should be omitted; but after the appeal of the right hon. Gentleman the Member for South Lancashire, whom he understood to say that the clause could in no respect fetter their freedom of action when the Bill guaranteeing the loan came on for discussion, he would not press his Amendment. He wished, however, to ask the Under Secretary for the Colonies to state, whether in the negotiations anything had occurred to render it possible for the colonies to consider that this clause, if passed, would bind the House in the discussion which would afterwards take place on the Bill for granting a guarantee.

Mr. ADDERLEY said, that there was no doubt that the present Government had come to an understanding with the Canadian delegates that they would propose a guarantee to Parliament, but there was nothing whatever in the clause under consideration that would bind the House to that proposal when made. The history of the clause was simply this—the completion of the Intercolonial Railway was regarded by the various Provinces who were parties to the Bill as a *sine quâ non,* and they wished to have the clause inserted in this measure with the view to record the agreement among themselves, thus giving it a sanction. What would be proposed to Parliament was to guarantee the interest at 4 per cent upon a loan of £3,000,000. The Confederation would be completed by the Bill. There was nothing in the Bill that could pledge Parliament, which would be left entirely unfettered, to discuss the guarantee when proposed.

Mr. ROEBUCK said, that in 1859 he went with the delegates, who were then here from America, to Lord Derby upon the subject of this Intercolonial Railway. He stated to Lord Derby at the time that it was an Imperial, and not merely a colonial question, because it might happen that we might have a quarrel with the United States in the month of December; and, if so, Canada would be a sealed land to us because the St. Lawrence would be frozen. It would, therefore, be of great importance to us to have means of transporting troops to Canada. The very case which he contemplated occurred in the affair of the *Trent.* The noble Earl saw the force of that statement, and the deputation left him with the impression that the railway would be made. Soon afterwards there was a change of Government, and the right hon. Gentlemen who entered office—thinking it their duty to undo everything that Lord Derby had done, good, bad, or indifferent—stopped the guarantee. As time went on, however, they—much to their credit, and very unlike the rest of mankind—learned by experience; they took the matter up, and the right hon. Gentleman who was then Secretary for the Colonies consented to do the very thing that his leaders had, some two or three years before, prevented.

Mr. LOWE said, there was some difficulty about this matter. The clause was peculiarly worded. We proposed to enact that these States should make arrangements for the construction of the railway in question within six months after the union. But we had no power to do anything of the sort. We could not issue a *mandamus* to compel them, and yet we pledged ourselves as strongly as words could do to make this railway. We commanded that which we had no right to command. His right hon. Friend had declared that this railway was considered by the colonists a *sine quâ non.* And then the House was asked to go another step. They were informed that a Bill was to be laid before them for the purpose of giving a guarantee, and that this clause would not in any way hamper their discussion when the Bill on the guarantee came before them. If the Government gave such an assurance, he supposed they must take it. But for that assurance he should have thought the clause would commit Parliament to the loan. But if it should be the pleasure of the House to refuse this guarantee, as he hoped it would, he trusted they would not have the gentlemen who represented the North American Colonies turning round by-and-by and saying that they had enacted this clause about a guarantee and then refused to carry it out.

Mr. E. W. T. HAMILTON said if they were to pass this clause in its present shape they would have no option but to assent to the guarantee when the Bill on the subject was presented to them. He understood that if the Committee passed this clause and made the House a party to the agreement, which was a *sine quâ non* with the Maritime Provinces, they would be obliged to give a guarantee for the loan which was now stated to be £3,000,000, but which he had always heard would amount to £4,000,000. If the question rested on the grounds stated by the hon. and learned Member for Sheffield, he would not give his assent. It was not because it was a matter of Imperial concern, and that otherwise we might not be able to get our troops into Canada, that he was willing to entertain the question of a guarantee. He would do so simply on the ground that it might be for the interest and well-being of the Provinces.

Mr. ROEBUCK said, he wished hon. Members to read the clause and see what it really meant. It said that inasmuch as the Provinces had determined that such a railway was essential to the connection between them, be it enacted that it shall be the duty of the Government and Parliament of Canada to make it. That was all that was in the clause, and when hon. Gentlemen talked of its being a guarantee they should try and see what the words meant. If the clause provided anything else let somebody get up and say what.

Clause *agreed to.*

Clauses 146, 147 (Admission of other Colonies) *agreed to.*

New Clauses *added.*

Clause A. Salaries of Lieutenant Governors shall be fixed and provided by the Parliament of Canada.

Clause B. Salaries, &c., of Judges, &c., to be fixed and provided by the Parliament of Canada.

Also a new Section VIII. Revenues; Debts; Assets; Taxation.

Clauses C. to A.A. *added.*

Also a Third Schedule List of Provincial Public Works—Property to be the Property of Canada.

House *resumed.*

Bill reported, with Amendments; as amended, to be *considered* upon *Thursday.*

CRIMINAL LUNATICS BILL.

COMMITTEE.

Order for Committee read.

MINISTERIAL EXPLANATIONS.

QUESTION.

MR. OSBORNE: In order, Sir, to put myself in order, I am about to move the adjournment of the House, and I take this unusual course in consequence of a transaction which had occurred in "another place." I did not think that I was putting myself unnecessarily before the notice of the House at the beginning of the evening when I demanded some explanation from the Treasury Bench as to the unusual position in which this House has been placed. The right hon. Gentleman (the Chancellor of the Exchequer), however, maintaining that system of silence which has characterized the Government from the commencement of the Session, refused to give any answer, and the noble Lord the Member for Stamford (Viscount Cranbourne) intimated that he had not received Her Most Gracious Majesty's permission to make any statement to the House. The House assented, and was left in that ignorance in which, if it depends on the right hon. Gentleman, it will be kept until the 18th of March. But what has happened in "another place?" The secret with regard to the Bill which, we being the most interested party, ought to have communicated to us in the first place, that secret has been let out in "another place." Not only has the noble Lord the Leader of the Government (the Earl of Derby) communicated in "another place" the original policy of the Government, but a noble Lord (the Earl of Carnarvon), who has resigned office, has, it appears, received the permission of Her Majesty to state, and has actually stated, the reasons why he has left the Cabinet. I leave the matter to the consideration of the House. If the House is content to be treated as a mere Court of Registry, to assent in silence, and to abdicate its functions, I shall say no more; but there are people out of doors who will see, with astonishment, that while a communication has been made in "another place," the Leader of this House maintains a silence which is as extraordinary as it is obstinate. I beg, Sir, to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Osborne.*)

THE CHANCELLOR OF THE EXCHEQUER: I think, Sir, I can give a satisfactory reason for the silence which I have observed. I had communicated with my noble Friend (Viscount Cranbourne), and was aware that it was not in his power to make any statement to the House, and I certainly think it would have been most unbecoming in me to enter into details which I myself had not received sufficient authority to disclose, and under particular circumstances, in which others were obliged to be silent. I have no doubt, however, that an opportunity will be properly taken for that frank communication to the House which always occurs when political changes of this kind happen. What has occurred in "another place" is unknown to me, and unless I receive some authentic account of it, I am not disposed to put upon it the interpretation which the hon. Gentleman has done. All I can say is, that in the course which I pursued I was influenced, not only by a sense of public duty, but by those private feelings of honour which, I hope, will always animate Members of this House.

MR. ROEBUCK: No interpretation is required in the matter. The fact is palpable that in this House information has been refused, which in "another place" has been granted. If the right hon. Gentleman has had no communication with his Leader it only shows that there are more divisions in the Cabinet than the House were aware of an hour ago.

Motion, by leave, *withdrawn.*

Committee *deferred* till *Thursday.*

DUTY ON DOGS BILL—[BILL 36.]

(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer*)

CONSIDERATION.

Order for Consideration as amended read.

MR. HUNT moved the omission of that part of Clause 3 referring to packs of hounds. He said, that the intention was to give an advantage to masters of packs; but owing to a supposed ambiguity in the wording they entertained an impression that the clause would operate to their prejudice, and that they would not be able to take out licences at per head.

Clause, as amended, *agreed to.*

Further Consideration *deferred* till *Wednesday.*

SUGAR DUTIES BILL—[BILL 37.]

(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer.*)

CONSIDERATION.

Order for Consideration as amended read.

MR. HUNT said, he had promised to state at the earliest opportunity the decision of Her Majesty's Government as to the day on which the change of duties should take place. They had received communications from the Governments at the Hague and at Paris. The conditions which the Dutch Government attached in case the new duties came into operation earlier than the 1st of May were such, that Her Majesty's Government found it would be inconvenient to accede to them. They were confirmed in that opinion by finding that the French Government took the same view. Her Majesty's Government therefore proposed that the 1st of May should be the day on which the new duties should take effect, and they were glad to learn that those interested in the trade entirely agreed with this decision. He should therefore propose to substitute the word "May" for "March" throughout the Bill, and to defer the third reading for some little time.

Bill *re-committed* for *Wednesday.*

OYSTER AND MUSSEL FISHERIES BILL.

(*Mr. Stephen Cave, Sir Stafford Northcote.*)

[BILL 61.] SECOND READING.

Order for Second Reading read.

MR. STEPHEN CAVE moved the second reading of this Bill. He said, its object was to assimilate the law relating to private oyster-beds to the law as it was laid down by the Act of last Session in regard to beds formed under that Act. By 3 & 4 *Vict.* c. 75, oyster taking from private beds was made theft, and by the 24 & 25 *Vict.* c. 96, it was made felony. It was, however, held that the thief must be taken in the very act, and that oysters were not property in the sense that they could be followed. In this way the thief almost invariably escaped punishment, and the ends of justice were defeated. To meet this defect in the law provisions were inserted in the Act of last Session, making oysters the absolute property of the owners of beds, and thus converting the stealing from a statutory offence to an offence at common law, and capable, therefore, of more easy detection and punishment. These provisions existed in the case of companies having private Acts, such as the Herne Bay, Roach River, &c., Companies. By some oversight this part of the Act of last Session was confined to beds formed under the Act, which was a manifest injustice to owners of private beds lawfully formed previous to the Act. The owners of these beds had consequently been nearly ruined by thefts which it was impossible to prevent, and which were stimulated by the high price of oysters. The Bill simply extended the remedies under the Act of last Session to private oyster-beds. There were certain shadowy claims by individuals and corporations in the nature of manorial rights over certain oyster-beds, which were difficult to define or enforce, and were frequently disputed. It was not intended to cure defects in such titles, and therefore the operation of the Bill was limited to beds which had been exclusively worked by or under the owner for five years past. This was to be considered sufficient evidence of a perfect title. He had now explained the whole scope of the Bill, which simply carried out the principle already affirmed by Parliament in the Act of last Session and other Acts.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday.*

COUNSEL TO THE SECRETARY OF STATE FOR INDIA BILL—[BILL 51.]

(*Mr. Selwyn, Mr. Buxton, Mr. Coleridge.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."—(*Mr. Selwyn.*)

MR. SERJEANT GASELEE said, he intended to move an Amendment in this, a fuller House than he had addressed on a former occasion. The object of the Bill was to enable the Counsel to the Secretary for India to sit in the House of Commons, and he moved an Amendment to the effect that the House should resolve itself into such Committee on that day six months. The present Counsel was Mr. Forsyth, who was returned for Cambridge, but unseated by a Committee of the House on the ground that his sitting in the House was contrary to the statute of Anne, which disqualified any one for a seat in the House who received emoluments from the Crown, imposing also a penalty of £500 for a breach of its provisions. He objected to the Bill because it was exceptional, and because, as Counsel to other Departments of the State might be equally required in the House, the Act of Anne should be dealt with as a whole. When he had questioned the Chancellor of the Exchequer on Friday night whether he intended to repeal the statute of Anne in favour of the gentleman whom it was proposed to appoint as Equity Counsel to the Treasury, the right hon. Gentleman declined to give an answer. If he were to take for truth the old adage that silence implied consent, then it was clear that the right hon. Gentleman was in favour of the hon. and learned Gentleman sitting in the House. There was no more reason for this official to sit in the House than for many other learned gentlemen who occupied analogous positions. The House should either admit all or admit none. He should not object to a Bill throwing over the statute of Anne altogether, and allowing the Counsel for all the Departments to sit in Parliament. There were altogether seven Standing Counsel for different offices, and he saw no reason why legislation should take place for a particular case.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Serjeant Gaselee,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

SIR GEORGE BOWYER said, he approved the Bill, on the ground that constituencies ought to have the fullest freedom of choice in the selection of representatives, and that restriction by disqualification was opposed to the policy which ought to govern our legislation. The statute of Anne was obsolete, because it was passed under the influence of jealousy lest the Crown should obtain undue influence in that House. But the House now, indirectly, appointed the advisers of the Crown, without whose advice the Crown could do nothing. One objection to the restriction was that it was technical. An officer appointed by the Crown could not sit in the House, but one appointed by the Ministry could. The Secretaries to the Treasury and the Admiralty did not, on appointment, vacate their seats, because they were appointed by the Lords of the Treasury and the Admiralty. It would be easy, therefore, to secure an officer a seat in that House by providing that he should be appointed, not by the Crown, but by the Ministry. The restriction was therefore a delusion, because it was grounded on technicalities; and if Mr. Forsyth had been appointed, not by the Crown, but by the noble Lord at the head of the India Office, he might have sat in the House. The thing was absurd, and could not be justified. He was sorry the Bill did not extend to other cases; but that was no reason why they should not deal with this case. He accepted the Bill as an instalment towards a desirable consummation when every constituency should possess the fullest liberty in the choice of its representatives.

MR. ROEBUCK said, that the Bill was directed against an absurdity. The statute of Anne was passed when there was a contest between the aristocracy and the Crown, and that contest had entirely passed away. The aristocracy fancied that the Crown might acquire power in the House of Commons; but we were now living under new circumstances, and the real qualification for a seat in that House was the vote of a constituency. Lord Macaulay made a remarkable speech in that House upon the question of the Master of the Rolls being entitled to sit there, while other Judges were excluded. Doubtless that was one of the anomalies that ran through our laws on the subject. A Lord of the Admiralty vacated his seat when he was appointed, but a Secretary of the Admiralty did not, because the former was appointed by the Crown and the latter by the Lords of the Admiralty. The slightest alteration of arrangements would enable the Ministry to bring in whom they pleased, provided the persons had constituencies; and if the counsel to the India Board were appointed by the Board instead of by the Crown, he could sit in the House. Why that course was not adopted he did not know. No man in his senses could imagine that the Crown could acquire undue influence in the House through inducing a constituency to send into the House a person appointed to an office by the Crown. The Bill would effect good to the extent of doing away with one anomaly, and it was an odd reason for opposing it that it did not abolish other anomalies. Our whole legislation had been piecemeal, and experience showed that it was advantageous in the long run to abolish grievances piecemeal, and not by wholesale.

MR. COLERIDGE said, he must explain why he stood in the somewhat anomalous position of supporting the Amendment while his name was on the back of the Bill. It was his own fault entirely, and not that of the hon. and learned Member for the University of Cambridge (Mr. Selwyn), that he wrongly understood the object of the Bill. He had supposed it was designed to appoint a sort of Attorney General for India, to advise the Government, and to go in and out like other officers of the Government. To such an officer he could not see any objection, as Indian law was a special subject with which the generality of English lawyers were not familiar, and if the statute of Anne stood in the way of the appointment of such an officer it would prevent the appointment of a useful one. But if the proposal was that the counsel was to be a permanent officer he saw considerable objection to it. It was undesirable to let the Government appoint an officer who was practically irremovable, and who, being fully acquainted with all the details of the policy of a Government, might not agree with it, and might from his place in the House oppose it. It appeared to him that there would be considerable practical inconvenience in the appointment of an officer who, he understood, would not go in and out with the Government, but would be irremovable. He should, therefore, vote in favour of the Amendment.

MR. SELWYN said, he regretted that any misapprehension on the subject should have existed in the mind of his hon. and learned Friend; and if the forms of the House would allow it he should be ready to move that the name of his hon. and learned Friend should be at once struck off the back of the Bill, especially as the speech just delivered had convinced him that even now the hon. and learned Member had not read the Bill, and did not understand its provisions. His anxiety had been to divest this Bill of anything like a party character, and he was therefore desirous to have two Gentlemen on the opposite side of the House to support the Bill. One of those Gentlemen, who, he understood, was favourable to the principle of the Bill, was the hon. Member for East Surrey, and the other his hon. and learned Friend who had just spoken, and whose only doubt, he then believed, was as to the two sections of the statute of Anne. He (Mr. Selwyn) had never thought of creating any new office, but the object of the Bill was merely to remove an exclusion which was not merely an accident, but also an anachronism. The hon. and learned Serjeant (Mr. Serjeant Gaselee), who had moved the rejection of the Bill, seemed to think that he (Mr. Selwyn) had advocated the Bill upon personal considerations, but that he altogether denied, and he would not, therefore, speak of the Gentleman who held the office at the present time. It was plain that this exclusion was merely the result of accident. If there had been any doubt on the subject before, it must have been removed by the statement of one of the Members of the Committee—Sir James Fergusson—who said they did not at all dispute the proposition laid down that if the office were an old one, the transfer of patronage to the Crown did not make it a new office; but that their decision was founded upon the circumstance that the Act required a scheme, and that this office was included in the scheme. When the Act of 1858 was passed the office in question was held by Mr. Loftus Wigram, who at that very time sat in that House as one of the representatives of Cambridge University. That being the case, it was impossible to doubt that the question as to the exclusion from Parliament of the holder of that office must have been present to the minds of the framers of that Act, and of the Legislature which passed it. The members of the Counsel were expressly excluded, but the Standing Counsel was not, and if it had been intended to exclude him the Act would doubtless have declared it. The hon. and learned Serjeant must be singularly ignorant of the position occupied by Mr. Wigram if he supposed that, for the sake of retaining this office, he would ever have resigned his seat for the University of Cambridge. But this exclusion, besides being an accident, was also an anachronism, and a proof of that was to be found in the speech of the hon. and learned Serjeant, who had said that the power of the Crown was increasing, had increased, and ought to be diminished. That statement might be left to answer itself. Lord Macaulay, in a memorable speech on the proposed exclusion from Parliament of the Master of the Rolls, said that nothing could be more unreasonable, or more inconvenient, than the rule which laid down that the holder of an office created since the 25th of October, 1705, should not be a Member. He added—

> "A great jurist seated among us might, without taking any prominent part in the strife between the Ministry and the Opposition, render to his country most valuable service, and earn for himself an imperishable name. Nor was there ever a time when the assistance of such a jurist was more needed, or more likely to be justly appreciated, than at present."

But it had been objected that it would be exceedingly inconvenient to take the opinion on matters of Indian policy of a person who might have been appointed by a Whig Government and who would consequently be in opposition to the Conservative Secretary of State. This objection, however, had been conclusively answered by Lord Macaulay in the speech which had been already referred to. The truth was that the House would not require from a legal officer an opinion on matters of policy, but simply information as to matters of fact. As an instance of this he might refer to the debate of Wednesday last on the sale of banking shares, when the Solicitor General was asked by an hon. Member opposite as to what were the limits of the liability of partners who had retired from associations of that kind. So as to the right of adoption question, the Standing Counsel to the Indian Secretary would be asked, not what was his opinion on the policy of adoption, but what was the fact respecting the terms in which treaties were usually drawn up in India. He could not help thinking it would be a very great convenience if there were an officer in the House who could answer questions of that nature, and that consequently the exclusion of the holder of the office was a great disadvantage to the House of Commons. There never was a time when such assistance was more requisite as would be evident if they regarded the increase of trade between this country and India, and the importance of our relations with the Native Princes of that country. On ordinary questions of law, if information were wanted by any Member of the House, an appeal might be made to the Law Advisers of the Crown; but the questions with which the Counsel for India would have to deal would be of a very difficult and of a special character. Then, as to the inconvenience of such an officer being permanent, and to his being called upon to serve alike under a Whig and a Tory Government, he would point, by way of analogy, to the Counsel to the Admiralty, in which case no such inconvenience had been felt, though the successive holders of that office had sat in the House for many years. It was true as the hon. and learned Serjeant had said, that there are many barristers who would be glad to accept this office, but the Secretary of State was bound to choose, not amongst the hundreds of briefless barristers, but amongst those who had deserved and obtained professional success; he was bound to look out for a man who could worthily fill the office; and men of that class usually aspired to a seat in the House of Commons, and would therefore decline an office which was subject to such a condition. The choice of the Secretary of State would thus be materially limited, and by insisting on this exclusion a great injury would be inflicted on the public service.

Sir ROUNDELL PALMER said, he felt it is duty not to allow this Bill to go to a division without expressing his opinion of it, though, for personal reasons with reference to the Gentleman who now held the office, he should do so with regret. He thought that considerable advantage to the public might arise from a careful revision and consideration of the disqualifications introduced by the statute of Queen Anne. There would also be some advantage in the revision of those provisions of the statute of Anne, which made every acceptance of office, even though it involved only a change from one office to another, necessarily lead to a new election. If any hon. Member proposed that the whole of that subject should be referred to a Committee, or if the Government thought fit to refer it to a Commission, considerable public benefit might arise from that course. He certainly should not commit himself to the opinion that the present case, among others, might not be properly dealt with by a change of the law consequent on such an inquiry. But he had a strong impression that it was unfit and inconvenient that a change in the law on that subject should be introduced in the manner now proposed for one particular case. If there was one principle clearer than another it was that a Bill for one particular case should be founded on reasons especially applicable to that particular case, and not on reasons of a general character, tending to the subversion of a law which had been, and still was, acted upon in a great number of other cases. The hon. and learned Members for Dundalk and Sheffield (Sir George Bowyer and Mr. Roebuck) had avowedly based their support of that Bill on a general disapproval, as unsuited to the present time, of the statute of Anne, and all the disqualifications it contained. In their view the right principle was to give an unlimited choice to every constituency, and abolish altogether all such official disqualifications. But there was a multitude of those disqualifications; and the House would hardly allow itself to be drawn into the hasty affirmance of so broad a principle, by so narrow an application of it, as a Bill to except one particular office from the general rule. On that ground, he thought it would be unwise to pass that Bill. But his hon. and learned Friend the Member for the University of Cambridge (Mr. Selwyn) did not rest his advocacy of it on any such general ground; but said that, without interfering with any general principle at all, it might be supported on its own merits. Before the decision of the Committee, he had himself doubted whether the particular appointment in question was an office within the statute at all; but a Committee of most competent persons having come to the conclusion that it was, it must be assumed in the present discussion that their conclusion was right. What, then, were the special reasons urged by his hon. and learned Friend for taking that disqualification out of the general category? His hon. and learned Friend said it was an accident and an anachronism, and that if the attention of Parliament had been called to the case, provision would have been made enabling the Standing Counsel to the Secretary of State for India to sit in that House. But how his hon. and learned Friend was able to divine what would have been the legislation of the House, if a question had been brought before it which never was brought before it, it was difficult to understand. His hon. and learned Friend said that in the very Act of 1858, a clause was introduced to prevent the Members of the Indian Council from sitting in that House; but if they were to adopt his line of reasoning it would lead them to the conclusion not only that the legal adviser of the Secretary of State for India should be eligible for seats in that House, but that the Members of the Indian Council should also be so; for who were more competent to enlighten the House on Indian questions than the members of the Indian Council? But the policy of the statute of Queen Anne was, as to those gentlemen, solemnly re-affirmed at the passing of the Act of 1858. Again, he did not think there would be that kind of advantage which his hon. and learned Friend expected from having the legal adviser of the Minister for India in the House, to be interrogated as to the law of India by all Members who might desire enlightenment on the subject. If the legal adviser of that Minister were to sit there, the one thing he ought not to do was to answer questions of that kind, affecting Indian affairs; for his special duty would be to advise the Government on such subjects; and as the legal adviser of the Government he was a confidential officer. Nothing could be more inconvenient than that he should be interrogated generally by hon. Members. As to the reference which had been made to a recent discussion connected with the succession to the Rajah of Mysore, those who had attended to that class of questions must be aware that there was a great difference of opinion among lawyers as well as statesmen as to the effect of Indian legal documents, especially as to those which might or might not contain words of inheritance; and much inconvenience might easily arise if the legal adviser of the Secretary of State were allowed to be interrogated upon such nice points in that House. The conclusion he came to, therefore, was, that although the presence of that Gentleman in the House, upon other general grounds, might possibly be of advantage, if they allowed the Counsel for the Home Office, and for all the other Departments to sit there also, yet there would be no special advantage in the legal adviser of the Secretary of State for India sitting there to enlighten the House on points of law, in respect to which he had confidentially to advise the Government. Therefore, all the special reasons urged in favour of the Bill failed. He expressed no opinion on the policy of sweeping away all these disqualifications, further than to say that the subject was one which well invited, and might well reward, general revision. But he protested against legislation which prejudiced the principle of a large and important public statute resting on public policy, by taking a particular case out of it without any sound reasons, applicable to that, more than to other cases.

SIR JAMES FERGUSSON said, that as a Member of the Committee which sat last year and unseated Mr. Forsyth, he might state that the only ground on which that gentleman was unseated was the accidental circumstance that in the Act of 1858 there was a clause requiring the Secretary of State for India to submit a scheme constituting the establishment connected with his office, which fact alone tended to make Mr. Forsyth's office a new one under the Act of Anne. Moreover, the Committee were not unanimous in their decision. This might, therefore, fairly be viewed as a doubtful case which the Bill was introduced to meet. The case of the Members of the Indian Council was not parallel, for they were incapacitated to sit in Parliament by an express clause in the Act; whereas the learned counsel was accidentally disqualified merely because he formed part of the establishment of the Secretary of State. A salary of £500 a year was the sum paid to that gentleman, and if he was to be incapacitated on that account from sitting in the House, the only result would probably be that the Secretary of State would not have a Standing Counsel, but would refer to a person learned in the law for advice as occasion arose. It was absurd to suppose that an eminent counsel would be influenced in political matters in that House by a salary of £500. At the same time, that particular case could not perhaps be wholly dissevered from many others of a similar kind; and he would suggest that the Motion and the Amendment should be withdrawn, and that his hon. and learned Friend (Mr. Selwyn) should consent to refer the subject to a Select Committee to be dealt with on broader and more general grounds.

Mr. SELWYN said, if such was the feeling of the House, he was very willing to accede to it.

Mr. AYRTON said, the policy of the law was entirely against the admission to that House of any persons who were appointed by the chiefs of the public Departments.

Amendment and Motion, by leave, *withdrawn.*

House adjourned at Eight o'clock.

HOUSE OF LORDS,

Tuesday, March 5, 1867.

MINUTES.]—Public Bill—*Second Reading*—Marriages (Odessa * (30).

Their Lordships met, and having gone through the business on the Paper, without debate,

House adjourned at a quarter past Five o'clock, to Thursday next, half past Eleven o'clock.

Sir James Fergusson

HOUSE OF COMMONS,

Tuesday, March 5, 1867.

MINUTES.]—Select Committee—On Limited Liability Acts *appointed.*

Public Bills—*Ordered*—Game Preservation (Scotland).

First Reading—Game Preservation (Scotland) (65).

Second Reading—Sale and Purchase of Shares [38].

ABYSSINIA—IMPRISONMENT OF BRITISH SUBJECTS.

QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask the Secretary of State for Foreign Affairs, Whether the British artisans who have been or are about to be taken out by Colonel Merewether to Massowah are to be exchanged for the captives now detained in Abyssinia, or are to be sent into that country after the latter are released; and, if so, whether it will not require great care and attention to prevent the transaction from simply resulting in the change of one set of prisoners for another?

Lord STANLEY: Sir, strict orders have been given to Colonel Merewether that these artisans are under no circumstances to go into the interior until all the prisoners now detained by the King of Abyssinia shall be released. They have gone by their own free choice and upon their own responsibility. I took care before they went out that the position and the whole circumstances of the case should be carefully explained to them. As to the last part of the Question, it is rather a matter of argument than of fact. All I can say is, that, as the House very well knows, the whole question of the release of these captives is surrounded by difficulties; and we believe that the course we have adopted, though it may be open to some objections, is still open to fewer than those which presented themselves to the adoption of any other course, and presents the best chance of success in the object we have in view.

MERSEY DOCKS AND HARBOUR BOARD BILL.—QUESTION.

Mr. TOLLEMACHE said, he wished to ask the President of the Board of Trade, Whether his attention has been called to a Bill introduced by the Mersey Docks and

Harbour Board for raising a further sum of £1,100,000 for new works, the entire bonded debt of the Mersey Board already amounting to nearly £14,000,000, and the Birkenhead docks and works being still unfinished, and particularly to Clause 3, authorizing the raising of the sum of £334,000, to replace money expended on unauthorized works at Liverpool, in contravention of Clause 5 in the Mersey Dock Act of 1864, which provided that no part of the money to be raised under that Act should be expended on any works at Liverpool until the northern entrances of the Birkenhead Docks "shall have been completed, to the reasonable satisfaction of an officer to be appointed by the Board of Trade," and which certificate has not yet been obtained; whether his attention has been called to Clause 12 in the same Bill, authorizing the payment of local rates out of the sinking fund specially directed to be maintained by the Act of 1859, instead of paying such rates out of revenue; and whether any Report from the Board of Trade upon this Bill will be presented to the House?

SIR STAFFORD NORTHCOTE said, in reply, that the Question was one which had excited a good deal of interest on account of the magnitude of the points at issue. The attention of the Board of Trade had been directed to this Bill, both by its promoters and by those who opposed it. But his hon. Friend would see that it would be very inconvenient to attempt answering the Question when there could be no discussion, or to give any intimation of an opinion upon the merits of the case. If it had been the will of the opponents of the measure to challenge its merits upon the second reading, there would have been an opportunity of discussion, and no doubt statements would have been made on both sides adequate to the occasion. But that course had not been taken, and he felt that it would be undesirable that he should now express any opinion upon matters which would be much better left to the Committee upon the Bill. The Board of Trade had now given up the practice of reporting, as a matter of course, upon Bills of this description, and there was no intention of making a Report upon this subject. He understood that at one time there was some hope of an arrangement between the parties on either side, and thus avoiding the necessity of sending this measure before a Committee. He would have been very glad if that course had been adopted, or if in any way the Board of Trade could have brought about a settlement between the parties. He did not see, however, any probability of such a course being taken.

LANCASTER, YARMOUTH, &c., COMMISSIONS.—QUESTION.

MR. OTWAY said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will lay upon the table of the House a Return showing the expense of the Royal Commissions appointed to inquire into Corrupt Practices at Elections for Lancaster, Yarmouth, Totnes, and Reigate?

THE CHANCELLOR OF THE EXCHEQUER: If the hon. Gentleman will move for that Return it will not be opposed.

CASE OF THE "TORNADO."

QUESTION.

MR. ALDERMAN LUSK said, he would beg to ask the Secretary of State for Foreign Affairs, If eight of the crew of the *Tornado* are still kept close prisoners by the Spanish authorities; and, seeing that it is admitted in a despatch to Sir John Crampton, dated Foreign Office, February 8, 1867, that all the crew of this ship have been "arbitrarily detained, on one pretext or another, for many months," and that "they have been subjected to hardships as unnecessary as they were cruel," whether it is the intention of Her Majesty's Government to take any steps to obtain redress for these unfortunate and ill-used British subjects?

LORD STANLEY: I regret, Sir, to say it is true that eight of the crew of the *Tornado* are still detained by the Spanish authorities. I cannot say that they are detained as close prisoners, because the captain, and one other person, whom I believe to be an officer, have been allowed to go about on their parole. But, perhaps, a better idea of the present state of the case will be obtained if the House will allow me to read a telegram which I received yesterday from Sir John Crampton, in answer to one which I sent making inquiries on the matter. The telegram is as follows:—

"The present state of the case of the *Tornado* is this, there are two appeals pending against the Prize Court at Cadiz, on the ground of its being illegally constituted and incompetent to take cognizance of the case. Until this question is decided, the Prize Court takes no steps to continue the proceedings, nor the Spanish Government any to maintain or enforce the sentence which they do not consider to be definitive. The detention of part of the crew is grounded on the requirements of the captors for their evidence as witnesses, either in case the Prize Court is declared competent, and the proceedings already held by it carried to their termination, or else in case the Prize Court is declared incompetent, and the affair is entered upon *de novo*, and treated administratively, or tried by another tribunal."

As to the question of indemnity, that is a matter which cannot well be disposed of until the course finally taken by the Spanish authorities with respect to the prisoners shall be known. I shall, however, be ready in a very short time to lay the papers upon the subject on the table.

CANADA—EXTRADITION OF M. LAMIRANDE.—QUESTION.

Mr. M'CULLAGH TORRENS said, he rose to ask the Under Secretary of State for the Colonies, When he will lay upon the table the Correspondence between the Secretary of State and the Governor General of Canada, as also with other persons in the colony, regarding the extradition of M. Lamirande?

Mr. ADDERLEY: Sir, the Papers containing the Colonial Correspondence on the subject have been ready for some time for presentation, and there is no wish whatever to delay their production; but it is thought desirable that they should appear at the same time as the Foreign Office Correspondence with the French Government on the same subject, as the two elucidate each other. We are waiting for an answer from the French Government, and when it is given the correspondence will appear.

Lord STANLEY: Perhaps I may be allowed to say that we have received the communication which I said a few nights ago we were waiting for, and the papers will be prepared for presentation in a short time.

ADJOURNMENT OF THE HOUSE.

Moved, "That the House at its rising do adjourn till To-morrow at Two o'clock."

MINISTERIAL EXPLANATIONS.

The CHANCELLOR of the EXCHEQUER: I wish to take this opportunity of making some few remarks upon a subject which was treated yesterday, as some thought, too cursorily, but I think only from misapprehension. I believe my noble Friend the Member for Stamford is now present, and I will now make some remarks upon the course which has been taken by the Government. It has been said that I was hardly justified, when I announced yesterday the secession of three of our Colleagues, in stating that secession to have taken place in consequence of the majority of the Cabinet having arrived at a decision in favour of our original policy, because no original policy had been intimated to the House. Now, I think that criticism is not accurate, and, because not accurate, not just. On the 25th of last month, in intimating to the House the measures which a united Cabinet were prepared to recommend to Parliament, I most distinctly adverted to other propositions which it had been our wish to bring forward, but which we had not felt authorized in making. [Mr. GLADSTONE: Hear, hear!] I am glad the right hon. Gentleman opposite admits the accuracy of that observation. I distinctly stated on that occasion that there were other measures which would have enabled us to deal with the borough franchise on a more extensive scale, but which we had felt ourselves obliged to relinquish. Well, Sir, in bringing forward the measure which I introduced on the 25th of February, I hope to satisfy the House that we were not influenced by any thoughtless spirit, and that in the course which we took, we were impelled only by those principles which ought to influence public men, under the circumstances in which we were placed. And here I must remark, with reference to some expressions which have come to my notice—though they were used in "another place"—that there is no foundation for the charge which has been made against the present Government, that they neglected for a long period the consideration of the important subject which now so much engages the attention of Parliament, and that it has been taken up by us without sufficient thought, with indifference, and after a delay, characterized, probably, by negligence. Now, Sir, there is no foundation for that charge. Early in the autumn Lord Derby wrote to me, and told me that, after grave deliberation, he had arrived at the conclusion that it was absolutely necessary to deal with the question of Parliamentary Reform, and that it must be dealt with in no niggard spirit. That communication was made to me by Lord Derby early in the autumn, and he requested me to give my best attention to the subject. Sir, I do not say that Lord Derby, charged with the responsibility of State affairs, and anxious, if possible, to bring to a happy solution one of the most difficult problems of modern politics—I do not say that the feelings or even the conduct of Lord Derby, in the interval between the time when he made that communication to me and the first meeting of the Cabinet, were not modified, as the conduct of every public man must be modified, by the circumstances of the time, by the temper of the nation, by observation of general or particular opinions, by acquaintance with the obstacles which he should have to encounter, and the various combinations which it might be necessary to enter into to obtain the end which he desired. He must, indeed, be constituted differently from other statesmen if his course were not modified, even sometimes arrested, by such circumstances. But this I will say of Lord Derby, that what was his first opinion early in the autumn is his last opinion, and is one upon which he is prepared to act. Sir, we had more than the hope, we had the expectation, that we should have been able to propose to the House a measure conceived in the spirit which had influenced Lord Derby when he made that communication to me in the autumn, and sanctioned and supported by all his Colleagues. After having entertained, however, an expectation of that character, we were unhappily, and I must say unexpectedly, disappointed in that hope. Sir, I impugn no man's conduct under these circumstances. I am confident, for my own part, that every Member of the Cabinet of Lord Derby, whatever his opinion on the subject, or whatever the course he may have taken, acted only in duty and in honour. That, however, being the case, called upon somewhat unexpectedly to arrive at a decision, and feeling that he had entered into an engagement with his Sovereign and with his country to bring this question, if possible, to a solution, Lord Derby sanctioned the measure which on the 25th of last month I brought before the House. Upon that measure I shall make one remark. The House must not think, because we were unable to carry into effect the more considerable measure which we had planned, that we had recourse to a scheme which we had only suddenly adopted. The measure I proposed on the 25th of February was one which had engaged our attention, and especially the attention—the mature attention—of Lord Derby. We had always been of opinion that if, unfortunately, we should not be justified in introducing the measure which we wished, that was the one which ought to be brought forward, because it could be defended upon principle. I speak of it with impartiality, because it is not and need not now be concealed that it was not the one which I myself should have preferred; but it is one, in my opinion, which I could consistently and honourably recommend to the House, because it is founded upon a principle, and between that measure and the policy which Lord Derby would have preferred there is in our belief no other course possible. The principle upon which the measure which I described on the 25th of February is founded is this—it seeks to restore, and would restore the labouring classes to that place in our Parliamentary system which they forfeited by the Act of 1832. If, for example, it had been carried, the constituency of England would have consisted probably, allowing for double votes, of 1,400,000 persons, and the labouring classes would have possessed of that constituency exactly one quarter. Then, take the great landed proprietors and the various classes in connection with them, and give another quarter to them, and a moiety of the constituency between those two sections would have been left to the various sections of the middle class. That, therefore, was a policy which was founded on a principle, for it would have offered to the country a constituency which bore in its various classes a due and harmonious relation to each other, and which, adapted no doubt to different places and to different circumstances, would have placed the working class in the position from which they were expelled in 1832. ["Oh, oh!"] That was a measure, moreover, which we had reason to believe might have been accepted by Parliament. It was brought forward by a united Cabinet, and we entertained an expectation that there were many influential Gentlemen opposite who would have accepted it. But what was the fact? I must say this, though individually I was not surprised at the result, that it did not give satisfaction to the great Conservative party of the country. I am not speaking merely of those influential Gentlemen who have the honour of representing the Conservative party in this House, though I have reason to believe this they entirely represent the feeling of the country in this respect; but I may say this, that not a day lapsed after the measure was brought under the consideration of the House without persons of the highest authority in the country, men of the greatest stake and standing, who are distinguished by what are called Conservative opinions, expressing their regret that this measure had been adopted, and that the course which Lord Derby was supposed to uphold —and which, indeed, he had, without circumlocution, taken the opportunity of intimating to his followers his wish to support, had not been pursued. Sir, there was a general feeling throughout the country, or at least, through the most important Members and communities connected with the Conservative party, that the question of the introduction of the working classes into our Parliamentary system should not be dealt with in a contracted spirit. Then, Sir, how did that proposition fare with Gentlemen opposite, on whose support in some degree we had hoped we might have counted? Why, the very next day, the right hon. Gentleman the Member for Lancashire called his friends together—very properly, for I do not condemn his conduct, or the decision at which they arrived—and after consultation they came to the conclusion that the proposition was unsatisfactory, and that no settlement could be satisfactory unless it were based on a £5 rating. [*Cries of* "No, no!" *from the Opposition.*] That, at all events, was the information which reached us. Probably it was not accurate, and much of the information that reaches you about us is equally unauthentic. I think, however, it will not be disputed that our proposal was not popular with the Liberal party, and that, in fact, some counter-proposition was to be made. It seemed to us, therefore, that we were fast sinking into that unsatisfactory state which distinguished last Session, when one proposition was met by another not materially differing from it, and that the attempt to bring this great question to a solution would have been fruitless in the present as it had been in preceding Sessions. But, Sir, we are conscious that there is some difference between this and the preceding Session, and we did believe and hold that if the question were not seriously and earnestly and vigorously grappled with, it would not be for the honour of Parliament or the advantage of the country. Well, Sir, under these circumstances, Lord Derby called his Colleagues together, and wished them to re-consider the course which had been pursued, and the course which he had formerly and originally wished to pursue. And he expressed his strong opinion that the course which he originally wished to pursue was the only one that would lead to a solution which would be satisfactory to the country, and enable Parliament to agree to a measure, and would, on the whole, be most conducive to the interests of the country, present and future. I regret to say that under these circumstances, although a majority of the Cabinet supported Lord Derby, we had the great misfortune of losing three of our Colleagues. Sir, I know there may be some in this House who think that the circumstance of losing Colleagues, although it may be a disagreeable incident, is one which, like many of the casualties of life, must be encountered and endured. Some, indeed, think that the breaking up of a Cabinet is like the breaking up of a social meeting, and that these things are easily forgotten and passed over. But I see some right hon. Gentlemen opposite who have had the misfortune of parting with Colleagues, and I think they will agree with me that the disruption of that tie—that separation from men with whom you have long been bound by a tie of the most intense interest—that of attempting to manage the affairs of a great country in the hope that you may be contributing to the public welfare—is one of the most painful and saddest incidents that can occur. I rank it among the calamities of life. If my resignation of office could have prevented that unfortunate result, that resignation was at the command of my noble Friend. It was at his command then, as it has always been. And whether I have sat on that side of the House or on this, those who know me know that I have always said that no personal sacrifice on my part should I hesitate to make to maintain a united party or a united Cabinet. But the state of affairs would not have been bettered by my retiring from office. We lost Colleagues with whom it was a pride and pleasure to act; and my only consolation under the circumstances is that I feel certain the services of such men, whatever may become of myself, will not be lost to their country. And there is one among them whose commanding talents, whose clear intelligence, capacity for labour, and power of expression will always, I am sure, qualify him for taking a leading part in the affairs of this country. But, Sir, it is unnecessary, as I am sure it must be painful, to touch upon these personal questions. The spirit of honour and the sense of duty will maintain us, I hope, in the trial which we are now undergoing. Lord Derby, had he quitted office, would only have increased the embarrassment which public men now feel. He retains office with the most earnest determination to carry into effect the policy which he approves. I hope that, without entering into any unnecessary details, which might afford amusement to the curious, but which feeling this House has at all times repudiated, it will be thought that I have fairly placed before the House the position in which the Cabinet is placed. It is our business now to bring forward, as soon as we possibly can, the measure of Parliamentary Reform which, after such difficulties and such sacrifices, it will be my duty to introduce to the House. Sir, the House need not fear that there will be any evasion, any equivocation, any vacillation, or any hesitation in that measure. That measure will be brought forward as the definitive opinion of the Cabinet, and by that definitive opinion they will stand. The right hon. Gentleman last night uttered some prophetic deprecations of the character of that measure, which I thought somewhat gratuitous. The right hon. Gentleman seemed to be painfully afraid that its character might be complex. I know well the singular plainness of mind of the right hon. Gentleman, and how he shrinks at all times from anything that is intricate. I do not think that the measure which I am about to bring in will perplex Parliament; but of this I feel quite sure, that it will be perfectly intelligible to the country.

GENERAL PEEL: Sir, I hold everybody responsible for the maintenance of his own honour, whether it be personal or political. I do not know whether he is at all times the best judge of what that honour may require, because there is a species of false honour which sometimes induces him not to apologize although he knows he is wrong, and which induces him to persist in a course although he has begun to doubt the propriety of that course. I hope I have not been influenced in the course I have pursued by this principle of false honour. On the contrary, when a person has changed his opinion I honour him, Sir, for acknowledging that change and acting on it. And I confess to having altered my opinion with regard to that great question which we discussed last year. It is perfectly true, as has been stated by my noble Friend (the Earl of Derby), that when his Government was formed no pledge was given to bring in a Reform Bill. If any such pledge had been required, I certainly should not have accepted office. Since that time I have changed my opinion. I have changed it, first as to the indifference of the great mass of the people upon it. I changed it because I then thought it was absolutely necessary for the Government to bring in a Reform Bill, and that the question should be settled as soon as possible. Having come to that conclusion, I was satisfied that it could only be carried out by every one of extreme opinions either on one side or the other being prepared to sacrifice his extreme opinions. I was therefore prepared to unite with my Colleagues, if possible, in framing a Reform Bill. When I came to that conclusion I was perfectly prepared for all the sacrifices I might be called upon to go through. I was prepared to hear passages of my speech of last year quoted against me constantly, and received with cheers from the Gentlemen opposite. I am extremely sorry that by the course I have taken I deprive hon. Gentlemen opposite of any portions of the speeches they may have been preparing. There were some expressions in that speech which I deeply regret. There was one especially about the Thames flowing with blood which I have never ceased to regret. I was also prepared for another punishment, which I think the hon. Member for Lambeth very good-naturedly said, was the only one he wished to see inflicted upon me—that of walking out in the lobby in support of a Reform Bill. I am fully prepared also to undergo that. It was not until the fifth Resolution was proposed—that fatal fifth Resolution—by which it was proposed to extend the franchise down to household suffrage—that I found myself unable to agree with my Colleagues, and I then and there tendered my resignation. I objected to it in the first place on the ground that it could not be carried out in conformity with the fourth Resolution, which said that no class should have a predominant influence in the representation. I also objected to it because I thought that in many instances it would entirely overwhelm and swamp the old constituency, especially in small boroughs; but when this matter was discussed in the Cabinet I must say that the opinion of my Colleagues was unanimous, that this was a mere matter of figures—a mere question of compensation, although I must say that with regard to the compensation derived from a plurality of votes I have no very great faith either in securities or pledges. My experience of forty years in this House has led me to the conclusion that a security as a security is of no use whatever. If it is right in itself it may be maintained, but as a security it is of no use. Therefore, on that ground I objected to the extension to household suffrage. But when I was assured that it was a mere question of figures and would prove a Conservative measure, I consented to become a party to bring in the Bill—not that I had changed my opinion, but, knowing that everyone must to some extent sacrifice his opinions to carry a great measure, I consented to sacrifice mine to what I believed to be the unanimous opinion of my Colleagues. It was not until Monday morning week, or very late on Sunday night, that I heard for the first time that two of my Colleagues, in whom I placed the greatest confidence, and with whom I had acted with the greatest cordiality, had, without any communication with me, or any reference to me, come to the same conclusion as I had done. On an analysis of the figures, they had come to the conclusion that the effect of the proposal would be what I had always feared it would be—namely, that in some of the small boroughs it would swamp the constituencies. I therefore refused to take any share in the responsibility of the measure. The ground upon which I had consented to it was entirely removed, and I could no longer take upon myself the responsibility of any share in bringing in that measure.

VISCOUNT CRANBOURNE: Sir, since I gave my answer to the hon. Member for Nottingham (Mr. Osborne) yesterday, I have received the permission, through Lord Derby, which enables me now to speak on this subject; and the details into which my right hon. Friend the Chancellor of the Exchequer has entered, and still more the details entered into by my right hon. and gallant Friend who has just sat down, impose upon me—although I dislike as much as any man the disagreeable egotism of these discussions—the necessity of briefly saying what my own course has been, and what the circumstances were under which I, on Monday last, tendered my resignation. At the time when the fifth Resolution—that fatal Resolution, as my right hon. and gallant Friend has called it—was laid upon the table, no detailed and definite agreement, as I understood it, had been come to. A general view was entertained; but the actual figures were not arranged, or the mode in which it should be applied. It was, as I then understood it, to be applied according to principles which I believed to be just, although I confess I did not at the time think the House would accept them. But that seemed to me a small matter. My only question in assenting to the proposal was to ask myself "Was it just? was it arranged upon a principle that seemed to be just, and which would at the same time afford an opportunity of admitting to the representation a very large class who do not now possess the franchise?" My right hon. Friend objected to that proposal, as he has told you; and it was in the hope that the figures might be so adjusted that the desire of the great majority of my Colleagues might be carried out with perfect safety to the Constitution, and in a manner that was likely to settle this much vexed and most difficult question, that I was one of those to urge him to remain. But after the speech of my right hon. Friend the Chancellor of the Exchequer on the 11th of February, it became evident—at least, it was the belief of many of my Colleagues—that the original view of the application of the fifth Resolution was untenable; and proposals which to me—I only say to me—were new, were then entertained by the Government. I desire particularly to be understood here. I do not for a moment wish to suggest that my Colleagues acted in a hasty or precipitate manner. But anybody who knows the working of Cabinets will know that with so large a body matters are matured and considered in the first instance by a small number of Members, and that many, especially of those who hold offices with heavy Departmental work, such as mine was, are not in the first instance consulted as to measures which are about to be proposed to the Cabinet. Well, it was on the 16th of February, I think, that I first heard of the proposition which I believe has now received the formal sanction of Her Majesty's Government. I then stated at once that it was a proposition which to my mind was inadmissible. I believed at the time that it had been abandoned. But on the following Tuesday, the 19th, I think, the proposition was revived, and revived with the statement of certain statistics. Now, the House will perhaps allow me just to point out the special value of statistics in this particular matter. The idea of the fifth Resolution was to give an enfranchisement with a certain compensation or counterpoise. Of course, therefore, the whole value of any arrangement of which a counterpoise is to form a part must depend upon the accuracy of the calculations on which that counterpoise is framed. The figures on Tuesday, the 19th, were imperfect, and, after considerable discussion, it was, as I understood, agreed that the matter should be resumed with fuller information, to be obtained with aid from the Departments, on Saturday, the 23rd. The statement of the measure which was to be introduced to the House, it will be recollected, was to be made on Monday, the 25th. On Saturday, the 23rd, the figures were produced. I was asked whether I desired a further discussion of them. I said that they seemed to be favourable; but I am not aware that I gave any further assent to the proposition than was conveyed in those words. I say this on account of an expression that I can hardly acquiesce in which has been used elsewhere. But after we separated on Saturday, the 23rd, I naturally gave myself up to the investigation of those figures. The position was one of extreme difficulty. The materials which I had were, in my opinion, exceedingly scanty. The time which I had for decision was forty-eight hours. On the Sunday evening I came to the conclusion that although the figures, on the whole, had a fair seeming, and although it appeared, when stated in block, that upon them the proposed reduction of the franchise might be safely adopted, yet it appeared to me that, with respect to a very large number of boroughs, they would scarcely operate, practically, otherwise than as a household suffrage. As soon as I came to this conclusion, I consulted with one or two of my Colleagues, who happened to be near at hand, and then I wrote to Lord Derby to state that, with those figures before me, it was utterly impossible for me to concur in the measure which he proposed. As my right hon. Friend has said, on the Monday morning following we assembled somewhat hastily. I then naturally tendered my resignation, and implored my noble Friend to accept it; because, as I urged on him, a Government in which there were dissensions was not a likely Government to satisfy either the House or the country. But Lord Derby, actuated by a kindliness of feeling for which certainly I ought not to be ungrateful, but which I still think was mistaken, rather preferred to put it to me and the others who were dissatisfied, whether we would consent to a compromise—whether we ought not to consent to a less extensive measure which had been under the consideration of the Cabinet, and which was brought forward by my right hon. Friend later in the day. In the course of last week Lord Derby again came to the conclusion that what I had suggested originally was correct—namely, that it was not expedient to go on with a divided Cabinet. He resumed the proposition which he had urged in the preceding week; and, of course, I again tendered my resignation. I am very glad to have the opportunity of making this explanation to the House; because, from some words which dropped inadvertently yesterday both in this and in the other House, I fear some impression might have been created that we had acted precipitately—that we had consented for a long time to a measure which had been prepared long beforehand, and that then, at the last moment, we had unfairly come forward with our objections. I hope the House will feel that, under the circumstances, it was impossible for me to act otherwise than I did with the conviction which I held. I need not say to all who have gone through it how painful it is to part from friends with whom one has acted, and to appear to stand in any position even of temporary antagonism towards those with whose convictions generally one thoroughly sympathizes. But I felt that I never could consent to a measure which appeared to me to introduce into the majority of boroughs what was in effect pure and simple household suffrage. In saying this, I do not wish to give the impression that I am insensible to those considerations which acted so deeply on the mind of my right hon. Friend. My noble friend Lord Carnarvon has expressed elsewhere the sentiments which he entertains on this question in language which I willingly would adopt for my own; and I should be very glad if it should be possible, in spite of all these unfortunate dissensions, during the present Session to pass a measure which shall give satisfaction to those who undoubtedly are dissatisfied, and which shall remove from the arena of politics a matter of such fierce and such dangerous controversy. But I am sure that this question never would be settled if any who entertained sincere convictions against the propositions that were made allowed the suspicion to fall upon them that for any party or personal considerations they were suppressing their own convictions, and acting against them. It is only by the most perfect sincerity, and by earnestly striving each in our own sphere as much as we can to take this subject out of the category of those questions which tend to give rise to party struggles, that we can get rid of a difficulty which has become serious, and remove what has also become in effect a disgrace to the efficiency of the House of Commons.

MR. DARBY GRIFFITH: The House may well believe that I would not for a moment presume to trespass upon it on an occasion of this kind merely for the purpose of continuing a discussion in which I have no desire to interfere. I only wish to clear up a particular transaction of which an account has appeared in the public press. On Wednesday last, the 27th of February, there appeared in *The Morning Advertiser*, a statement in these terms—

> "After the withdrawal of the Resolutions last night Mr. Gladstone and Mr. Disraeli had a long interview in one of the retiring chambers of the House. On that occasion Mr. Gladstone intimated to Mr. Disraeli that at the meeting of the Liberal party, held at Carlton Gardens that afternoon, it was the general opinion that no effort should be made to turn the Government out upon the Reform Bill."

That statement in itself was perhaps of little importance; because immediately afterwards it was contradicted, in a manner which, I think, it is not presuming too much to say, shows that the contradiction must have emanated from the right hon. Gentleman opposite (Mr. Gladstone)—

> "We are," said the article of the following day, "authorized to contradict the report that a conference has taken place between the Chancellor of the Exchequer and Mr. Gladstone on the subject of Reform. There is no foundation whatever for such a rumour."

That contradiction, according to the usual practice of public life, must have come from an authoritative source, and I should have made no remark upon it had it not been for the circumstance that this morning *The Morning Advertiser* has another article upon it; which, after reviving the first statement, and appending the contradiction, repeats that—

> "After the discussion on the withdrawal of the Resolutions on the 25th of February, Mr. Disraeli had an interview with Mr. Gladstone in the Ministerial retiring-room behind the Speaker's Chair. The interview was adjourned to the following day, to the room of the hon. Member for the county of Dublin (Colonel Taylor) who holds a Ministerial office."

I think that such a statement having appeared in the public papers it ought to be further elucidated, and I submit it to the attention of the right hon. Gentleman.

MR. GLADSTONE: Mr. Speaker—I shall have no difficulty, I think, in setting at rest the mind of the hon. Gentleman who has just sat down with respect to the communications supposed to have taken place between the right hon. Gentleman the Chancellor of the Exchequer and myself on the subject of Parliamentary Reform. There is no foundation whatever for the idea that has been promulgated from certain quarters of such communications having taken place. What did take place was this—and it affords a curious illustration of the manner in which what is great may occasionally grow out of what is small. On the evening to which the hon. Gentleman referred a question of a very different nature from Parliamentary Reform was upon the paper. That question I was anxious to support, provided Her Majesty's Government would adopt a certain course, to which they already seemed inclined, and which I believed would tend to the public advantage. I spoke with the right hon. Gentleman not for twenty minutes, but for about twenty seconds, behind the Speaker's Chair. In the course of that interview I inquired of the right hon. Gentleman if they intended to pursue that course. He said they did, and I believe I then used the words "Quite proper." Probably those words were overheard, and the interpretation which was given to them by an over-heated imagination proves it to be still true that "a little knowledge is a dangerous thing." Sir, having disposed of that matter, I may turn to the statements which have been submitted to the House this evening. I do not think it would tend to the public advantage were I, at the present juncture, to comment upon the state of things which has prevailed in the Cabinet with regard to the question of Parliamentary Reform. I shall not therefore attempt to comment upon the statement made by the right hon. Gentleman the Chancellor of the Exchequer, still less upon those made by my right hon. and gallant Friend the late Secretary for War, and by the noble Lord the Member for Stamford, who have evidently been actuated by the desire to maintain that character for public honour in the recent proceedings from which I am quite certain no man could suppose for a moment that they would deviate. But, Sir, there is a particular portion of the statement of the right hon. Gentleman which, even without the direct appeal of the hon. Member for Devizes, it would be necessary for me to notice. The right hon. Gentleman has given to the House to-night a defence and justification of the plan of Parliamentary Reform which was so hastily submitted and so hastily withdrawn by Her Majesty's Government, and he has distinctly and intelligibly attempted to fasten upon those who sit upon this side of the House the responsibility of having brought that project to its untimely end. Sir, I must comment upon the statement of the right hon. Gentleman that the plan of Her Majesty's Government was a plan founded upon a principle. When I heard those words fall from the lips of the right hon. Gentleman I confess I was curious to learn what interpretation they would receive from his following remarks. There are high authorities of recent date for the expression of surprise on Parliamentary occurrences, and I must confess that it was with surprise that I heard the explanation given by the right hon. Gentleman. He stated that if that plan had been adopted the effect of it would have been to raise the constituency of this country to the number of 1,400,000. Of that number one-fourth, or 350,000, would have been members of the working classes, one-fourth would have been connected with the landed interest, and the remaining moiety would have belonged to the various sections of the middle classes. I do not intend to question the accuracy or propriety of that description, to which, perhaps, I should be inclined to demur. Nor will I at present canvass the figures of the right hon. Gentleman, which, however, I should find it impossible to admit. But I come to a point which is more material—the statement that the measure was founded upon a principle because it proposed to admit the working classes to the benefit of the franchise in the proportion of about one-fourth of the constituency of the country. It is the first time that I ever learnt in this House that to admit the labouring classes of this country to the numerical proportion of one-fourth of the constituency could be justly described as founding a measure upon a principle. During the whole of the last Session of Parliament there was a measure under discussion in the House of Commons with regard to which the objection most commonly and constantly raised was that it was not founded upon a principle. I believe, if the arithmetical proportions established by that measure were carefully examined, it would be found that as nearly as possible it invested the working classes with one-fourth of the votes to be given to the constituencies of the country. Therefore, Sir, if the right hon. Gentleman be serious in the opinion he has expressed to-night, that the measure which was born and died on Monday evening, the 25th of February, was founded upon a principle, I can only regret that the discovery was not sooner made. Had it been made during the course of last Session, much of the trouble which besets us at present and possibly awaits us in the future might have been avoided. But what is more material is the description the right hon. Gentleman has given of the prospects and intentions with which Her Majesty's Government introduced that ill-fated measure, and also the cause which led to its withdrawal. At this point I must enter my most distinct and unequivocal protest against the statement of the right hon. Gentleman, which is, from beginning to end, full of errors, totally unintentional no doubt, but still of the gravest nature. It is necessary to point these out, because it is evident that they have been the foundation of a proceeding on the part of the Government which cannot but be regarded as of cardinal importance. The right hon. Gentleman says that if he has received inaccurate information, we also are subject to the like misfortune. That may be so, but the difference is this—we do not found our statements in Parliament upon it, nor do we, upon inaccurate information, base decisions of vital consequence in matters of public policy. The right hon. Gentleman says that the measure which he introduced upon a basis of a £6 rating franchise was introduced with either the knowledge or the apprehension that it would not be acceptable to the Members of the party who sit behind him, but that he had the greatest reason to expect that it would be favourably regarded by hon. Gentlemen sitting on these Benches.

THE CHANCELLOR OF THE EXCHEQUER: Perhaps the right hon. Gentleman will permit me to correct him on one point. What I said was that I believed such a measure would not be unfavourably received by hon. Gentlemen sitting on the opposite side of the House, and that it might at the same time be accepted by the House generally.

MR. GLADSTONE: After the correction of the right hon. Gentleman I withdraw the remarks I made upon that point. But the right hon. Gentleman thought the measure was fairly entitled to the support of hon. Gentlemen sitting on this side of the House. I would ask, however, what reason the right hon. Gentleman could possibly have for forming such an anticipation, and founding upon it so important a proceeding as the submission of a plan of Reform to the House of Commons. In the month of June last, when I unworthily occupied the place now filled by the right hon. Gentleman, we had occasion to state our views upon the subject of a £6 rating franchise. In the name of the Government of that day, and at a time when our Ministerial existence and the settlement of the question depended upon the adoption of our views, I stated that it was impossible for us to accept a £6 rating franchise. How, then, could the right hon. Gentleman suppose when we had resigned the Government, subjected the country to the risk attending agitation, given up the conduct of the question, and indefinitely prolonged its discussion, rather than adopt it that we should submit to the same proposal when made upon his recommendation? I must say I think that was a groundless and an unreasonable expectation; and if it be true, as I infer from the speech of the right hon. Gentleman, that this expectation had a material influence in determining the course of Her Majesty's present Administration on Monday last week, I can only say it shows there was not due care and diligence exercised in ascertaining the solidity of the ground upon which they were to build. But more than this. It appears that this expectation was disappointed by some proceeding which was taken by the Liberal party; that they met together to discuss the plan of the Government; that at that meeting they determined upon supporting nothing short of a £5 rating franchise; and that in consequence of that condemnation of the plan by the party sitting on this side of the House, the Government felt that its withdrawal had become necessary. I have endeavoured to re-state with accuracy what fell from the right hon. Gentleman. He has in this respect been completely and grossly misinformed. The right hon. Gentleman has not only conceived an expectation without any warrant, but he has proceeded, with respect to the sentiments of the Liberal party on the occasion to which he refers, upon some rumour and report as groundless as that to which the hon. Member for Devizes has just drawn attention. I had almost said that the £5 rating was not mentioned in the discussion upon that occasion, but that would not be literally, though it would be substantially, true. It was for a moment mentioned by a single Member, but only to draw forth from another Member, with the evident assent of those around, the observation that any mention of such a subject was altogether premature. So far from a determination being expressed to offer opposition to the proposal of the Government, what was stated, and what I may say was accepted, was that at that moment we were only in possession of the plan of the Government in the shape of a speech; that much might occur between the delivery of the speech and the introduction of the Bill—an observation applicable to all states and circumstances, and not the least to the condition in which we now find ourselves—and that until the Bill was produced it would be impossible to decide what course we should take with respect to the earlier stages of the measure. It was, however, an object of general desire among us that we should find ourselves in a position, when the Bill should be produced, to support it on the first and second reading, and on the Motion for the Speaker to leave the Chair, and then it would be for us to propose such Amendments in Committee as we might deem necessary. Under these circumstances, I put it to the House whether the right hon. Gentleman was justified in the account he has given, and in the attempt he has made this evening, the ungenerous attempt—to use an epithet I, for the first time this Session, most unwillingly employ—to fasten on those who sit on this side of the House the responsibility of the failure of the scheme he referred to. I have only one more word to say, because I feel there is before us all a paramount duty and purpose, well and forcibly described in the closing words of the noble Lord the Member for Stamford, and the constant iteration of these collateral discussions, multiplied and prolonged as they are, create obstacles in the way of our attaining that object. I therefore refrain from further comment on what has fallen from the right hon. Gentleman. I certainly do not feel it necessary to take notice of the criticism which the right hon. Gentleman has made on the infirmity of my own mental constitution. Every man who makes observations of that character

—though it may be doubtful whether or not he does justice to himself, or to the House in which he makes them—confers a favour on the person who is the object of them, because to be made fully acquainted with our own infirmities is one of the most effectual means of attaining mental improvement. I have repeatedly received assistance in that respect from the right hon. Gentleman, and I sincerely return him my thanks. The right hon. Gentleman referred to expressions of mine used yesterday with respect to the nature of his forthcoming proposal, and he said that those expressions were gratuitous. I must at any rate say this—that they were deliberate, and, in my opinion, they were opportune. The vague and indefinite shape in which the Government plan, as outlined in recent discussions, has been brought before us does not lead me to repent, but rather leads me to be well satisfied, that I submitted to the House those observations, the object of which was to impress on the Government a full sense of the responsibility of their present situation in respect to the proposals they may make on the subject of Parliamentary Reform. We are told that the Government are the best judges of their own responsibility. I admit it. But it is often the duty of Members of this House, both to the public and to the Administration, at times when we think that serious issues are about to be raised without sufficient consideration of the means of meeting them to express, in terms becoming and respectful, the apprehensions we may entertain. I am supported in these observations by the pithy sentences of the right hon. and gallant Gentleman the late Secretary for War, who told us that he had no faith in securities; that if securities were good in themselves they would stand, but, merely as securities, they would not. The right hon. Gentleman the Chancellor of the Exchequer may have thought those expressions also gratuitous; but I thank my right hon. and gallant Friend, not only because he has sustained me in words I used yesterday, but because, in the observations he has made, he has done a public service. That is all I will say on this subject at the present moment. The time will come when we shall make another advance in our information on this question, and, as far as I am concerned, I have no disposition to prolong or multiply discussions of this nature, which have occurred before and may possibly occur again.

MR. LOWE: There is one cause, Sir, which no one seems to have any interest in defending, and with respect to which I ask permission to say a few words. The right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) naturally supports the £7 rental franchise of last year, and the Chancellor of the Exchequer as naturally supports one of the two franchises, between which he has divided his affections—a £6 rating or household suffrage. I want to point out to the House, as the Chancellor of the Exchequer states that there is a principle in his proposal of a £6 rating franchise, that this principle is only a translation of the £7 rental franchise of last year into a £6 rating franchise. The right hon. Gentleman the Chancellor of the Exchequer, therefore, by implication admits that there was a principle in the Government measure of last year. Such being the case, the right hon. Gentleman has the onus thrown on him of telling us on what principle he assisted those who laboured so hard and so successfully to destroy the measure of last year and the Government with it. I have no doubt that most of the supporters of the Government measure of last year supported it because they believed that the £7 rental franchise was a point at which they could rest, and that it carried with it a sufficient safeguard. I believed that it did not. I believed that it was only a stage on the road to that household suffrage which the Chancellor of the Exchequer has announced. I wish, therefore, Sir, on behalf of myself and of those who voted with me on such grounds, that we should not be confounded with those who suppose that a measure containing no principle at all in one form acquires it when stated in another, and that we should not be assumed to be turning round with the right hon. Gentleman the Chancellor of the Exchequer, and, after opposing the £7 rental franchise of last year, acquiesce in his view to-night, when, for the first time, the Minister of the Crown pronounces the fatal and ominous words, "household suffrage." If we wanted this household suffrage our way to it was very plain. We might have got it much more easily than by placing the right hon. Gentleman and his Colleagues in office, with much more facility and much less expenditure of time. Of course, there is no "understanding" in such matters—no indenture drawn, no engagements interchanged, but I ask hon. Gentlemen opposite whether it was for the purpose of bringing forth household suffrage that we combined with the right hon. Gentleman last year to defeat the Government measure. And here I feel it my duty to pay a tribute to the hon. Member for Birmingham, who, at meetings called in favour of manhood suffrage, manfully resisted giving his adhesion to that principle, and always declared his opinion to be in favour of household suffrage. The hon. Member for Birmingham approached that point from below; the Chancellor of the Exchequer approached it from above: at last they have met. You might try in vain to draw any practical distinction between the policy of the right hon. Gentleman who leads the Conservative party and the policy of the hon. Member for Birmingham.

> "So like they were, no mortal
> Might one from other know."

The one resisting pressure approached household suffrage from below, and the other dropped down from above upon it without any compulsion at all, but from a natural attraction and affinity which exist between the two. We have now an alliance of a new kind.

> "These be the Great Twin Brethren
> To whom the Dorians pray.
> Home comes the Chief in triumph,
> Who, in the hour of fight,
> Has seen the Great Twin Brethren
> In harness on his right.
> Safe comes the ship to haven,
> Through tempests and through gales,
> If once the Great Twin Brethren
> Sit shining on its sails."

I ask hon. Gentlemen opposite, with whom it rests whether this alliance shall take effect or not, what they have to say to it. Are they consenting parties to it? Do they agree that the victory attained last year for the principle that the ancient constitution of the country should be preserved in its integrity, shall give way to the alliance between the hon. Member for Birmingham and the right hon. Gentleman the Chancellor of the Exchequer? The decision rests with them; the country and all of us pause to see what decision they will pronounce. I could not help saying this, because it appears that the majority of last year has now nobody to defend it. We cannot expect defence from those whom we defeated, while those whom we placed in office, those to whom in an evil hour we intrusted the destinies of the country, have underbid those whom they then opposed for going too far, and placed themselves in a position which differs from their opponents only in this—that it is infinitely more democratic. I have only one more word to say. We have heard a great deal about figures, and about the construction which noble Lords and right hon. Gentlemen, who sat up all Sunday night to read them, put upon them. We are told we are to have a Reform Bill on the 18th, that then the matter is to be hurried on with the greatest possible speed, and that after the next stage the House is to sit *de die in diem.* Sir, we have had delays enough for want of information on this matter, and I would suggest to the right hon. Gentleman that if he really wishes the House to form a decision on his Bill, the best thing he can possibly do is to place on the table, without loss of time, those very figures which have been the subject of discussion. At present we have them not. We have the book of last year, in which we find a number of statements in regard to the municipal franchise; but, as is shown by an excellent letter in *The Times* the other day, written by the hon. Member for Cheltenham (Mr. Schreiber), there are only seventy-three boroughs which have conterminously the municipal and Parliamentary franchise, and where we can make comparison between them. It would be a great service to the House, therefore, if the right hon. Gentleman would, without loss of time, furnish us with the opportunity of going through the process which three Secretaries of State have gone through in order to see the real effect of the measure proposed. If we are to have these figures after the Reform Bill is brought in we probably shall not be in a condition to go on with it as the right hon. Gentleman wishes. Therefore, I do hope that the right hon. Gentleman will give us some means of judging of the proposal he intends to submit, that we may not always be in the position of receiving communications, but unable to act upon them for want of information. I thank the House for allowing one evidently of a past generation — who represents that which was a power last year, but which has been taken over by the right hon. Gentleman to the other side—to say a few words on this subject. The truth is, what was a conflict last year has become a race this year, and two parties are trying not which shall attack or which shall stand up for existing institutions, but which shall pass the other in attempting to reach first the goal of a perfectly level democracy.

Mr. GLADSTONE: I wish to offer a word of explanation with regard to a remark which has fallen from my right hon. Friend (Mr. Lowe), an inaccuracy not at all intentional, but which was the result of a very natural misapprehension. He said at the commencement of his speech that I had supported to-night the £7 franchise proposed last year. I had no intention of entering into a defence of that franchise. The meaning of what I said was this—that as the right hon. Gentleman (the Chancellor of the Exchequer) appeared to me to found his claim for a principle in the measure of last Monday week upon a numerical relation, it appeared to me that it would have been just as applicable to the measure of last year.

THE CHANCELLOR OF THE EXCHEQUER: Perhaps, in explanation, I may just observe that there were two misapprehensions by the right hon. Gentleman (Mr. Gladstone) on which, in fact, his speech was mainly founded. In the first place, when I referred to Gentlemen opposite, I did not refer to the front Opposition Bench, the right hon. Gentleman and his Colleagues, but I meant to speak generally of the party opposite. It was clearly my intention to refer to the Benches opposite. My Friends around me know that I had no intention to refer to the right hon. Gentleman. The second misapprehension was, that the right hon. Gentleman thought I withdrew the intended measure in consequence of the assumed want of support from the right hon. Gentleman and his Friends. On the contrary, I stated that the main reason why we withdrew it, was the general discontent of the Conservative party.

MR. HORSMAN: Sir, I was not aware that any discussion was to take place, or that any explanation was to be given this evening. The noble Lord's statement has rather taken us by surprise. If personal explanations only had taken place, I should have borne no part in the discussion; but I must say I agree with what has been stated by the right hon. Gentleman the Member for South Lancashire, that it is very difficult to sit still under the provocation given to us by the speeches of the Chancellor of the Exchequer. What we have heard to-day from the noble Lord the Member for Stamford, and the right hon. and gallant Gentleman opposite, makes a great change in the situation. The Liberal party, I trust, will not withdraw from the resolution they expressed to give the Government every assistance to settle the question of Reform. But I must say that we give that assistance under different feelings every day, under greater difficulty and under greater responsibility. When a Ministry, in a confessed minority in the House of Commons, undertakes to carry a Reform Bill, such a state of things can only be tolerated because that Ministry make up, in character or ability, what they want in numbers, or because they are supported by an opinion which is in itself a force. Is that the case with the present Government? Sir, they are the weakest Government that ever in our time has sat upon those Benches dealing with the greatest question of the day. And how are they dealing with it? There has been a general determination on this side of the House to give effect to the very judicious counsel which was tendered to us by my right hon. Friend the Member for South Lancashire at the commencement of the Session, to combine for two objects—namely, to effect a settlement of Reform, and to effect it, if possible, without a displacement of the Government. But I must say that every speech which we hear from the Chancellor of the Exchequer renders the reconciling of these two results more difficult. The Ministry have undertaken to deal with the question of Reform, and how are they dealing with it? The revelations which have been made to-day, following on all that has occurred this Session, show us that so far as official confusion and legislative weakness go, there has been everything on our part to complain of; and now, in addition to that, there is apparently an abandonment of principle and a breaking down in credit and in character unexampled, in the modern history of Parliament. What is the next step? We learn that a Conservative Government, existing upon sufferance, is about to launch what they themselves would last year have termed a democratic Reform Bill. The right hon. and gallant Gentleman opposite (General Peel) says that he has changed his opinion, and that he respects men for changing their opinions. But let us consider for one moment the value of a change in the circumstances in which this was made. In 1859 the present Cabinet changed their opinion and brought in a Reform Bill. They had been anti-Reformers up to 1859. They brought in, I say, a Reform Bill in 1859. But the moment they abandoned office they abandoned their conversion to Reform, and it was only after a lapse of nine years, when they returned to those Benches, that the convictions which they had left in their red boxes were again found when they re-opened them, and we then had a second conversion. Now, I do not hesitate to say, that I hold it as a rule, and an invariable rule, that any great party holding itself free, the moment it finds itself in office, to turn round upon the opinions it has consistently and persistently maintained in opposition, is politically wrong and morally indefensible. I do not know of any instance which history gives us which is not a confirmation of that opinion. Even those cases which are relied on of the Duke of Wellington and Sir Robert Peel rather confirm than shake this opinion. The Duke of Wellington, who was the most powerful and popular man of his time, having passed Emancipation was driven from office, which he never resumed; he lost his influence, and, for the time, broke up his party. A common danger, however, united the party once more in a common defence, and, nine years afterwards, Sir Robert Peel, by a rare union of sagacity and skill, reseated them in power. But he brought forward free trade, and once more he was driven from office: his party was broken up, his influence was gone, and he never regained the position he had lost. But there was this great difference. Those Ministers commanded great Parliamentary majorities, and they were sincerely converted. If the Duke of Wellington had been driven from office before the passing of the Emancipation Act he would have voted for it in opposition. If Sir Robert Peel had been driven from office before the passing of the great free trade measure, he would still have been a free trader. But the present Government, driven from office in 1859, changed their opinions, and opposed the Bill of the Government of 1860. ["No, no!"] I repeat they opposed the Bill. After six years they return to office. I ask what proof have we that the second conversion is more sincere than the first, when we learn that their new conviction is that Reform is not a question which should decide the fate of Governments, and that they have given us a choice of measures, with perfect indifference as to which we take, acting not so much as Ministers as auctioneers, knocking down the Constitution to the loudest bidder. I will not refer to the £6 rating franchise Bill, which fell stillborn. Forty-eight hours after its appearance, we heard no more of it. But we hear immediately afterwards that the Government return to their original policy—a policy which, if there be any truth in language, there was not one Member in the Cabinet who did not, twelve months ago, loudly and earnestly declaim was, in his inmost conviction, a policy of revolution. This may be supposed to be the road to popularity. In my opinion, the road to popularity in England runs parallel with that of political morality. It should always be borne in mind that any Government to be popular in England must commend itself to the morality of England, and political power in this country must be based on personal and political respect. I do not think that the course which the present Government are taking is likely to secure for them that respect. We respect rather the right hon. and gallant Gentleman (General Peel) and the noble Lord (Viscount Cranbourne), who have abandoned their places for their principles, than those who retain their places by abandoning the principles for which they have so long contended.

Lord STANLEY: I will not, Sir, occupy the attention of the House for more than one or two minutes. The speeches of the right hon. Gentleman who has just sat down, and of the right hon. Member for Calne (Mr. Lowe) have been founded upon the same idea, which is an utter misrepresentation of the intentions of the Government. The right hon. Gentlemen have spoken as if it were the intention of those who sit upon these Benches to go in a more democratic direction than even Gentlemen opposite would be inclined to take, and to bring in a Bill which would reduce the franchise to an almost unlimited extent. I say, plainly and frankly, that I can conceive no circumstances which would render the adoption of such a course by us in our position, and with our antecedents, either expedient or honourable, and certainly we shall not follow it. I say this distinctly, because I wish to save some hon. Members on that side of the House disappointment. If the right hon. Gentleman the Member for Calne, or any of those who sit near him, believe seriously that it is the intention of the Government to bring in a Bill which shall be in accordance with the views which have always been so ably and so consistently advocated by the hon. Member for Birmingham (Mr. Bright), they are greatly mistaken. I hope the House will recollect that they are discussing a measure which is not before them, of which they have heard no statement from those who are to introduce it, of the effect and purport of which it is impossible that they can know anything, or can accurately judge, even by the aid of any casual criticism which may have been applied to some portion of it by Gentlemen speaking in explanation of their own conduct. We are perfectly ready to stand or fall by the judgment of the House and of the public upon the measure we shall bring in; but I do ask you for ordinary fair play, and to wait until the measure is before you, before you proceed to pass an opinion upon its merits.

MR. BRIGHT: I shall not prolong the discussion more than two or three minutes; but I cannot help saying that I think we have had a very instructive evening. If hon. Gentlemen opposite, and, perhaps, some right hon. Gentlemen on this side, could have seen in vision a year ago what they see to-night, possibly the results of our deliberations in the last Session of Parliament might have been different. The right hon. Gentleman the Member for Calne (Mr. Lowe) admits that he is pretty much out of court, and that he ought not to be here at all. But he was the great adviser last year to certain weak-minded Gentlemen, and to certain very passionate and fierce politicians who now sit in a very meek state opposite. Recollect his speeches: the violent, and I will say, notwithstanding their eloquence, the illogical things which he said, and which he much regrets to have said. [MR. LOWE: No!] Then the things which I very much regret he said. The right hon. Gentleman fanned the flame of discontent among a number of right hon. Gentlemen, for, somehow or other, nearly all the leaders of the discontent were those who, in former times, had been in office, and these, combined with Conservative party spirit, threw out a Government which had offered to the country a measure which the country distinctly approved. When I say the country, understand me. I mean that if there were any who did not approve of that Bill, they did not signify their disapprobation; but the multitudes at whose request or demand the Government now propose to act, did in some hundreds of public meetings signify their approbation of that Bill. I ask hon. Gentlemen opposite to dismiss for ever from their councils the right hon. Gentleman the Member for Calne. He once led you into a great difficulty, and if you take his advice now, he will greatly increase that difficulty. He is against extending the franchise by any reduction of it, to any portion of his countrymen. That is not the opinion held, as he himself admits, by any other individual in this House. If that be so, as this is clearly the question of the Session, he is out of court as adviser, and if he does not withhold his advice in the future, I recommend you at least not to follow it. The right hon. Gentleman the Member for Stroud (Mr. Horsman) is very angry with the Government. But he has not so much reason to be so as I have. Nobody grieved more than I did at the conduct of hon. Gentlemen opposite last Session in contributing to the failure of a Bill which I greatly wished to see passed. But what did the right hon. Gentleman expect, when he coalesced with Gentlemen opposite to drive out Earl Russell, and to bring in the Government of Lord Derby. Had he so little knowledge of the state of public opinion as to believe that Lord Derby could hold office and refuse to deal with the question of Reform? The Chancellor of the Exchequer knows, Lord Derby knows, and every man in this House knows perfectly well that, if the Premier had met Parliament and declared he had no measure of Reform to offer, and should resist any proposal for the extension of the franchise, the first week of the Session would have been to him and his Government a week of extermination. His Government would have been at an end now and for ever. The right hon. Gentleman (Mr. Horsman) is very angry because the word household suffrage was mentioned. Why the right hon. Gentleman has a household suffrage Bill in his pocket, and I came down to-night with the expectation that it would have been brought on. But we scarcely know, under the leadership of the right hon. Gentleman the Member for Calne, and the right hon. gentleman the Member for Stroud, where we are or where we shall be. The right hon. Gentleman the Member for Stroud has a Bill for household suffrage with certain limitations, and I am not sure that it has not been under—what shall I call it—under the examination of the Chancellor of the Exchequer and Lord Derby. The right hon. Gentleman has been taking it first to St. James' Square, then to Carlton House Terrace, and there being no market for the article—which I am not at all surprised at—he tries to damage the wares of the Chancellor of the Exchequer. Now, let me say one or two words to Gentlemen opposite. You know that what the right hon. Member for Calne has said is true—that I have, so long as I have discussed this question, thought that household suffrage was in boroughs the true basis of the franchise. I have been willing to support measures in that direction, and I am willing to support now, if the House could not agree to that, a measure short of that; but I believe that is the just foundation of the borough franchise of this country. You have been accustomed to have a dread of a large increase of the number of votes at elections. You have a constituency narrow and contracted, and you have some sort of idea that the things which are safe in the hands of 1,000,000 would be unsafe in the hands of 2,000,000—as if the second 1,000,000 of your countrymen would not be filled with the same ideas as the first 1,000,000, and would not have the same interest in the well-being of the country. There is no other country in the world in which the monarchy, or the aristocracy, where there is one, or the ruling classes of whatever grade, are afraid of numbers of votes at elections. Whether you go to America, or Australia, or to the kingdoms of Europe, you never find discussions in their legislative bodies such as we have here. The legislators in those countries have no dread of their countrymen, and they have no fear that giving votes would be destructive to the interests of any order of society, or of the constitution under which they live. I ask you whether last year the great body of the workpeople who met to express an opinion respecting Lord Russell's Bill were not moderate and judicious in the course which they took in regard to that Bill, and in the judgment they expressed upon it? I venture to say they took a part which was much more patriotic in its results than that which you were unfortunately advised to take by the right hon. Gentleman (Mr. Lowe). I will undertake further to say that such is their moderation and such is their comprehension of this question, that they will judge with great fairness any measure which the present Government shall lay before the House, or if they should fall, any measure which shall be brought forward by the Government which will succeed them. You know I am not speaking in the interest of the right hon. Gentleman the Member for South Lancashire, or of his friends who may hereafter occupy these Benches, or in the special interest of the Chancellor of the Exchequer, with whom I have no political connection. I speak in the interest of a great cause, and of the millions of people who, from day to day, read every syllable uttered in this House on this question. And I ask you to deal with them as one class, party, or section of a people should deal with every other section of that people, with a generous and liberal estimate of their character and that which is due to them. Do not try by any tricks to hinder them from obtaining that which they have a right to expect from the declarations which you have made. If you cannot go so far as I want to go, let it be something less; but let us have it simple and distinct, so that the people shall know that what you profess to give they will really receive. If I understand aright, the measure which the right hon. Gentleman (the Chancellor of the Exchequer) intends to introduce is rather the product of the brain of Lord Derby than of his, and Lord Derby is not supposed to be rash in his conduct, or an innovator on the institutions of the country. Well, Lord Derby is in favour of that wide extension of the suffrage which it is hoped Gentlemen opposite may, by-and-bye, consent to. I recollect, in the demonstration which was held a short time ago—the right hon. Gentleman the Member for Calne says the demonstrations left no echoes behind them (I think Lord Derby could tell a very different story) — well, in that demonstration there were flags carried along the street, and upon one of them, which was carried by the carpenters, there was a motto which, though it is not in the choicest English, will still be understood by many present, and I commend it to the attention of hon. Gentlemen opposite, and of the House, as conveying in it all the wisdom which I could possibly hope to put into any number of words. It was—"Deal with us on the *square*; we have been *chiselled* long enough."

Mr. SMOLLETT: Sir, I simply rise to say that as many Gentlemen on the opposite side of the House have endeavoured to extract the opinions of Gentlemen who have the misfortune to sit on the right hand of your Chair, I wish, as an independent Member, and as one on whom the ties of party sit very lightly, to put a question to hon. Gentlemen opposite, to which I hope I shall receive a distinct and explicit answer. The question I wish to put is, why does not the great Liberal party, seeing the very unsatisfactory manner in which they believe Reform has been dealt with by this side of the House since the commencement of the Session—why does not the great Liberal and united party opposite take serious action in the matter, bring forward a Vote of Want of Confidence in the Ministers of the Crown, assume the responsibility of office, and deal with Reform in the way which they think will redound to their credit and to the satisfaction of the country? I am astonished to see the amount of forbearance shown by hon. Gentlemen sitting opposite, and I think their disinclination to assume office should be explained to the House and the country, and that it should be made clearly to appear why they do not take the responsibility of, and settle this question in a proper manner. But I have heard it said by hon. Gentlemen opposite, whom I do not now see in their places, that there is no unanimity in their party. They said they had a very satisfactory meeting in Carlton Gardens, but that in reality there is no unanimity amongst them. When asked why they do not take action in the matter, their answer is that they distrust their leaders—that they have no faith in them, and that they do not believe if they were transferred to the Government side of the House they would produce a satisfactory measure of Reform. If that be the answer I shall receive to-night, all I can say is that it will be most unsatisfactory. I shall be sorry to hear that the leaders of parties in this House are so sunk in the estimation of their followers that no faith can be placed in them. I therefore trust that I shall receive a clear and satisfactory reply to the question why hon. Gentlemen opposite, having a great numerical majority, do not transfer their leaders to this side of the House, and obtain from them a Bill which shall be satisfactory to the country?

MR. BANKS STANHOPE: I must, Sir, express my great regret and surprise at the position in which the Reform question is placed. We are met on a most solemn occasion, not for one party to taunt the other, but for both to endeavour to carry out, by mutual concession of opinion, a settlement of this difficult question. As one of those who opposed the Bill of last year—and I in no way regret the step I then took—I can tell you clearly the reason why I approach the question in a different spirit from hon. Gentlemen opposite. You have taken the ground from under us. I will not express an opinion on a measure which is not yet before the House. In common fairness we ought to wait until it is produced in its integrity; but I will say at once, as a follower of Lord Derby, that I see no reason to believe he would run any race towards democracy. I see no reason why a measure should not be introduced, founded on some permanent basis. At the same time, responsibility will be thrown upon each of us, individually and collectively, to provide, after due consideration, just and adequate protection to the property and capital of the country.

PUBLIC BUSINESS.—QUESTION.

MR. AYRTON said, that as a considerable interval would elapse before the 18th instant, when the Reform Bill would be proceeded with, he wished to know what business was to be proceeded with in the meantime. Would the Army and Navy Estimates be brought on? It was advisable that the ground should be cleared before the consideration of the subject of Parliamentary Reform.

MR. LOCKE said, he wished to ask when the papers referring to the electoral statistics, submitted to the Members of the Cabinet, and alluded to by the noble Lord the Member for Stamford (Viscount Cranbourne) would be laid upon the table?

THE CHANCELLOR OF THE EXCHEQUER: I have given direction for the preparation of the papers, and I hope in a few days they will be in the hands of Members. With respect to the course of Public Business, I believe I may say that the Army Estimates will be moved on Thursday. If they are not moved, my right hon. Friend the President of the Poor Law Board will proceed with the Bill which stands in his name.

LIMITED LIABILITY ACTS.

MOTION FOR A SELECT COMMITTEE.

MR. WATKIN moved for a Select Committee to inquire into the operation of the Limited Liability Acts. He defined them as the "Companies Act, 1862," and the "Partnership Act, 1865." The Commission appointed in 1854, to inquire into the law of partnership, reported that in their opinion the reputation of the British merchant at home and abroad would not be raised, but, on the contrary, might be lowered by the operation of limited liability. The question was one which not only affected special interests but the whole business operations of the country, and also involved the high credit which had hitherto attached to the commercial honour of the merchants and traders of England. The Act of 1862 permitted, for the first time, the application of the principle of limited liability to every form of enterprize. The Act of 1865 merely dealt with the relations of partners, and permitted those persons who chose to take a share of the profits of a business instead of a fixed interest to enjoy all the advantages of partnership without making the whole of their fortunes liable in the event of failure. Limited liability had been objected to on the ground that it established competition between a trader whose liability continued unlimited, and another who was able to place his affairs under the Limited Liability Act; that it gave the creditor permission to evade his moral obligations; and that, as a noble Lord in another place said, "it encouraged the demon of speculation." The old law of partnership provided that any combination of men, who went into business, were all liable for the operations of each other; the losses, profits, and mistakes of each partner were shared or borne by the whole. The modern joint-stock principle began by granting limited liability in special cases by Royal charter, letters patent, or special Acts of Parliament. In time the Acts establishing limited liability were passed, and much difference of opinion existed among well-qualified persons at the time as to the probable consequences. The author of the *Law and Practice of Joint-Stock Companies*, presuming that he was addressing those who might take advantage of the Act, sarcastically said—

> "You are permitted to incur debts without limit, but to prescribe your own limit for payment of them. You may invest £20, and trade to the amount of £250,000; if you succeed, your profits will be enormous; if you fail you can lose only £20; the rest of the loss will fall upon creditors. You are placed by this law in the advantageous position of a man who has everything to gain, and nothing to lose. . . . . Again, you enjoy another privilege, greater even than that of speculating for unlimited profits with liability only for limited loss. As you are not liable for debts beyond your £20, so you are equally exempt from performance of inconvenient contracts. With limited liability you are enabled to refuse to perform your contract if the price has fallen, while the person with whom you deal, not being equally privileged with yourself, will be compelled to perform his contract, if it should be for your interest to enforce it."

But Mr. Baron Wilde, a great legal authority, has said—

> "It seems to me that the Act of Parliament is framed on principles on which the Legislature now constantly acts—that of making every one take care of himself, and giving the greatest possible latitude to the forming of companies. That is a sound principle."

Mr. Watkin

He (Mr. Watkin) presumed that meant that every man must take care of himself and act as he pleased, so long as he did no ill to his neighbour. He, however, was of opinion that Parliament should not lend its sanction to anything which permitted or facilitated deception or wrong-doing, and an enormous amount of wrong had been done under the provisions of the Act of 1862, if not in consequence of, at least coincident with limited liability. Another distinguished gentleman, Mr. Charles Wordsworth, Q.C., had said, in 1865, in his work on *The Law of Joint Stock Companies as Altered by the Act of* 1862—

> "The commercial problem of the day was, I think, to find the form of partnership with limited liability, which should unite large capital with unity and promptitude of action, and it has been found by Mr. Lowe and the authors of the measures of 1855 and 1856."

He did not wish to question that; but he alleged that by some means the Act of 1862 had failed in the anticipations which were held out with regard to it, and that it had given rise to an amount of speculation unparaleled since the time of the South Sea bubble in 1720.

There were at present 2,200 joint-stock companies of all kinds in existence, having a nominal capital of perhaps £1,000,000,000, probably 750,000 shareholders, and 12,500 persons of another class which had grown up, and who were interested in them as trustees and directors; in fact, we were approaching the condition of things described by Dr. Channing, when writing many years ago of America. He said—

> "One of the most remarkable circumstances of our age is the energy with which the principle of combination or of action by joint forces, by associated numbers, in manifesting itself. It may be said without exaggeration that everything is now done by societies."

The number of joint-stock companies which started in 1863 under the Companies Act of the year before was 807; in 1864, it was 933; in 1865, 995; and in 1866, 745; making a total of 3,480 companies, representing no less than £706,000,000 of nominal capital. Of this enormous number twenty-seven were finance companies, with a capital of £40,250,000, of which £9,500,000 was paid up; seventeen were insurance companies, having a nominal capital of £11,650,000 and a paid-up capital of £1,100,000; fifty-four were banks, with £90,000,000 of capital and £17,500,000 paid up; and six were discount companies, with a capital of £10,100,000 and with

£2,200,000 paid up. Thus these four classes of companies alone had a nominal capital of £151,900,000, and a paid-up capital of £30,300,000. Turning to the other side of the account, he found that out of this group no less than £42,000,000 of nominal capital was in process of liquidation, and that, he thought, was a very significant fact. But he found the matter wore a still more serious aspect. Overend, Gurney, and Co.'s nominal capital was £5,000,000, but when they stopped payment their liabilities were £24,000,000; so that the £42,000,000 of nominal capital now in course of liquidation must be small compared with the liabilities of those companies if represented on the day of their failure. Those liabilities might have been £100,000,000. He asked, therefore, whether it was not expedient to inquire into the operations of the Limited Liability Acts, with a view, if necessary, to improve their principle or machinery, or both. He had ventured last year to speak of the operation of those Acts as included in the large number of causes which produced the panic; he desired, however, to keep the two matters totally distinct for fear of confusion. Considering what had been said by the President of the Board of Trade last July, he thought the House had not been treated quite fairly. In reply to himself and those who supported his Motion for a Commission of Inquiry into the causes of the panic, the right hon. Gentleman said—

> "If the Government were indifferent to the sufferings of the commerce of this country, no doubt they would be greatly to blame. If they were unwilling to investigate the possible application of remedies so far as these sufferings were occasioned or aggravated by legislation, no doubt they would be greatly to be blamed. In assuring the hon. Gentleman that the Government will look into this matter most carefully, and that it is their earnest desire, if possible, to legislate on the subject, or to invite the attention of the House to the subject at the first moment at which they can give practical effect to their views, which cannot be earlier than the commencement of the next Session, I would venture to press upon him the importance of allowing us time to legislate calmly; and, after due consideration, I would press upon him to withdraw the Motion he has now brought forward upon that assurance."—[3 *Hansard*, clxxxiv. 1741.]

That promise had not been fulfilled. The Chancellor of the Exchequer said the other night that the Government had no evidence to lay before the House, and did not intend to propose legislation, and all that he suggested was that it might be a convenient occasion for mixing up the question with an inquiry into the causes of the panic of 1866. He trusted, however, that if his present Motion were granted, the questions would be kept distinct. He could not allow the right hon. Gentleman to mislead him into mixing up this question with the larger and much more important one; but he hoped that an opportunity would be afforded to the House seriously to debate this most material question.

Of limited companies in liquidation, as it was called, there were at this moment no less than 266, representing a nominal capital of £100,000,000, and the shares of the rest of the limited companies were, for the most part, either at a discount, or their operations were so circumscribed as to show that they were almost in a state of collapse. After four years' experience of the operation of the limited liability principle which was widely extended in 1862, the time had arrived, he thought, when the House might carefully review a law containing so much that was novel and experimental. Great evils had certainly followed the recent operation of the Act, and it was important to inquire whether these had arisen necessarily from the provisions of the measure itself, or from other considerations outside legislation. It should also be seen whether its very complicated machinery was adapted to the circumstances of the time, or ought now to be altered. Another matter provoking much unfavourable comment was the enormous amount of litigation connected with the winding-up of these companies and the vast number of Chancery suits which had grown out of the system. Occurrences which had cast the deepest discredit on the commercial honour of the country, and which outraged all that men were accustomed to value in the conduct of business, had become notorious, and the House could not long refuse to investigate, and, if necessary, to expose them. It was not, perhaps, to be wondered at that the large business profits made in banking operations by the Bank of England, by several joint-stock, and by some private establishments between the years of 1844 and 1866, should have led many persons to think that, by engaging in similar pursuits, without the clog of unlimited liability attaching to private banks, they would be upon the high road to fortune. The course of legislation had afforded undue temptation to enter into speculations of the kind. He did not deny that some portion of this evil was to be placed to the account of the Act of 1844.

One of the things which this Act of 1862 permitted was extraordinary; the Act did not prescribe any minimum or maximum amount of shares, which might be issued at the nominal value of one farthing each, and the consequence was that any seven persons might subscribe a piece of paper, each taking a share merely to this nominal amount, and upon presenting a memorandum of incorporation to the Registrar who was bound to register it, the company might be constituted, and the statement might be made that the capital of the company was £500,000. Mr. Wordsworth gave an account of the law as existing upon this point, which would hardly be credited if asserted of any other country. The statute, he said, does not prescribe any minimum or maximum amount of a share, and it is a fact that shares may be issued of the nominal amount of a farthing each. The statute grants incorporation—that is, makes the members a body corporate in perpetuity, which there is no power to dissolve unless it gets into difficulties and is subjected to winding-up. The result is, that any seven persons may subscribe a piece of paper, each engaging to take one share only of the nominal amount of one farthing, and thus by presenting the paper (called "Memorandum of Association") to the Registrar of Joint-Stock Companies become entitled to a certificate which incorporates the company in perpetuity. There is no power in the Registrar to refuse a certificate. The same memorandum so signed and thus framed may at the very time contain a statement that the company's capital is £500,000. This seems an absurdity, but the law is so. The amendment required would seem to be to fix a minimum sum which each share is to represent, and a minimum number of shares to be held by every person signing the memorandum of association. This is the more reasonably necessary, because the parties so signing and having so little interest in the concern may advertise to the world that it is a company with £500,000 of capital. The absurdity is still greater when it is considered that by the law, as it stands, the same seven persons, each having one share only of a farthing, are the directors of the concern, unless there are articles of association (in conjunction with the memorandum of association) providing otherwise, and may the very next day transfer their shares and yet remain directors. There is nothing in the Act to the contrary. They may also borrow as much money as they please. [An hon. MEMBER: If they can get it.] Difficulties at present would be experienced, no doubt; but till very recently, what with the system of deposits and the high interest allowed by finance companies, directors not only could but did borrow money very largely. But, further, the law required that the capital of a limited company should be stated in its memorandum of association, and allowed that capital to be increased, but prohibited any other alteration of the memorandum. There was consequently no power to diminish capital, or reduce the shares without winding up. There ought to be a provision to meet this difficulty. Take the case of a £50 share, upon which the holder had paid £5; although the necessities of business might require only a further payment of £20, yet he would have the remaining liability of £45 hanging over his head, and the result was that capital had to be kept in reserve which might have been employed for useful purposes; thus capital was kept locked up, and uncertainty was extended. All this showed the necessity of an inquiry into the operation of the Act, to see if protection could not be introduced, and alterations in the machinery made, which would prevent the recklessness, wrong, and abuse which resulted from the operation of a system founded on a principle essentially sound. It was a question whether the principle could not be so modified, as, for instance, by the adoption of some of the provisions contained in the French law, that its working might be rendered just and equable. A great defect in the principle now adopted in English operations was that the managing partner upon whom the great responsibility rested had no interest distinct from those of the sleeping partners. In France the combination of the principle of limited with unlimited liability was very effective. The person who was *commandite* was under no liability except to audit the accounts, whereas the *commanditaire*, a person who took the most active part, was under unlimited liability. But the moment the person under limited liability in France interfered actively in the concern, and took any part in the operations of buying and selling, his position changed, and with it the extent of his liability. The promoters of those companies did not ordinarily put all they had into the concerns, and therefore the breaking up did not involve the ruin of those parties; but persons who led others into such speculations were bound to do all in their power to save those who had invested on their advice. It was notorious that a great number of concerns, which had been rotten from the first, were floated in the market entirely on false representations. Such things could not happen if the directors and promoters of these companies were under unlimited instead of limited liability. He did not mean to argue that in many cases very good results had not followed from unlimited liability. He had recently received a letter giving details of the operation of a limited company whose works had been carried on with such success that, after large profits had been made, an adjoining property was purchased. In this case the purchasers would not have gone into the affair at all, except on the principle of limited liability. The letter stated—

> "Some years ago, Mr. ——, an eminent coal master in South Wales, died. He had with great care, and during many years, brought his collieries into such a state of working as to be capable of yielding large annual profits. He had previously been obliged to expend large sums and take great trouble to make the produce of his collieries known and appreciated in all parts of the world, and was about to reap the fruit of his arduous labours when he died. The business was left to his three sons, of whom one only took an active interest in the colliery. The difficulties of distribution of property and the unequal interest taken by the sons soon made it necessary to realize the estate, and I doubt very much whether that realization would have proved beneficial to the family. After some attempts to value and distribute among the parties, Mr. ——, of ——, the eminent colliery engineer, was called in, and he valued the colliery at £300,000, and found parties who were willing, on the principle of limited liability, to become purchasers of the concern. The purchase money was spread over a period of years, so as to make the payment easy for the new proprietors. The company has been eminently successful. They paid their first instalment out of their subscription, and I am informed that the whole of the other instalments, now amounting to nearly the whole sum, will be paid out of current profits. Besides this, they have purchased large adjacent properties—and given in one instance £125,000. You may take this, then, as an instance of the successful application of the principle of limited liability. I know the parties on both sides. It suited the vendors to find parties willing to buy, and the purchasers are perfectly satisfied with their purchase, but they would not have gone into it except on the principle of limited liability."

He was far from wishing to be understood as expressing a general condemnation of that principle; what he contended for was that in the interest of the public generally the law required amendment. The abuse of the articles of association was very serious. When the case of Barned's Bank came before the Master of the Rolls it appeared that, after a recital of the various objects for which the company was formed, the articles had a recital to this effect:—"And for such additional or extended objects as the directors may from time to time decide on." Lord Romilly remarked that this was almost equal to a bank taking to brewing. Something should be done to lessen the difficulty, the litigation, and the costs connected with compulsory winding up. The law should be made more explicit, and greater power should be placed in the hands of shareholders and creditors. He found it stated that Vice Chancellor Wood in a late case, when refusing to convert a voluntary winding-up into a compulsory one, commended the discretion of the shareholders in voting for a voluntary winding-up. He said—

> "He could not see that any course could be so beneficial both to creditors as well as shareholders (unless there were strong reasons to the contrary on the circumstances of the case) as a winding-up under supervision. By that means they would command as much of the control of the Court as could be wanted; they were able to submit questions of law to the judgment of the Court, and they were able to interfere *instanter* with the official liquidator if they thought the assets were about to be wasted; and it had always appeared to him that those persons who were interested in the concern—shareholders on the one hand and creditors on the other—must best know their own interests, and must be much better capable of managing them than the Court could ever be. Considering the weight of the applications that had been made to him with reference to the management of mercantile concerns, where he was in one case asked to authorize the advance of £200,000 by telegraph to India, he felt himself wholly incompetent to deal with such interests."

Four courts were now engaged in the solution of questions connected with public companies, and their decisions had been by no means uniform. In some cases they had been conflicting. To the process of compulsory winding up there was attached an official called the chief clerk. His offices were crowded. His fees were very oppressive, but in that respect he was nothing to the official liquidator. Without mentioning names he might refer to the case of an important banking company, which, owing to misfortune rather than to imprudence, got into difficulties. After much struggling among the official liquidators, one of them succeeded in getting charge of the concern. After he had carried on operations for some time, the shareholders thought it advisable to re-construct the company. The official liquidator claimed a vested interest in it; but ultimately, on putting his demand in figures, his bill amounted to £38,000, the concern having been five months in his office, and twelve clerks having been employed by him. It was to be remembered, too, that in all probability this official liquidator was engaged in a host of other matters, besides those of the bank, at the same time that the bill of £38,000 was being run up. He was informed by a gentleman of high reputation in the City that the cost of winding-up all the different companies which came to an end in that way last year was not less than £1,000,000. Some liquidators thought it their duty to get as much as possible for the creditors, while others believed that it was to the interest of the shareholders they ought to look. He was told that the new arrangement of paying the liquidators so much a day was not working in a manner satisfactory for either the creditors or the shareholders. As long as the liquidators had so many guineas a day, it was probable they would continue to find matters constantly arising which required great deliberation and grave consideration. He wished the House to consider the enormous amount of money which was kept in people's pockets and tills, because of the overhanging weight of uncalled capital which might be called for by these concerns. He hoped the President of the Board of Trade would give his attention to some immediate legislation whereby a company which had an overhanging liability of £1,000,000 when £500,000 was amply sufficient to carry on all their operations, would be allowed to reduce their liabilities by a simple resolution of proprietors, instead of by the process of winding-up, care being of course taken to provide for the rights of present creditors. Hitherto, the corner-stone of British commerce has been a feeling of entire reliance upon the faith and honour of the British merchant. It was necessary that events which had seemed to cast a stigma upon that faith should be brought to light, so that we might see who was to blame. He believed it would then be shown that the area of irregularity was very small, and that the evil approached with boldness might with ease be removed.

Motion made, and Question proposed,

"That a Select Committee be appointed to inquire into the operation of the Limited Liability Acts."—(*Mr. Watkin.*)

Mr. MORRISON said, he thought this was a peculiarly opportune moment for an inquiry of this sort. Our new law of partnership had lasted a sufficient time to enable us to judge of its character and results, and, above all, we were last year affected by a monetary crisis that was distinguished from all other crises in this, that while the general trade of the country was hardly at all affected, the ruin had fallen upon these limited liability companies, and especially those of them which dealt in monetary transactions. The facts of the crisis were fresh in our memories; while, having passed through the panic, we were not now likely to form any other than a calm judgment upon the facts before us. Having passed the crisis, and weathered the storm, we might also fairly believe that the great body of the companies left were placed upon so firm a basis that they need not fear an inquiry. It must be admitted that in one great division this limited liability had been productive of an enormous amount of good; he alluded to those enterprizes that were more or less of a philanthropic character, and carried out for public purposes rather than individual profit. Such were the numerous associations for improving the dwellings of the working classes, and the companies which were formed for supplying gas and water to provincial towns. These were enterprizes upon which many would not enter if they were to risk their whole fortunes by so doing, although they might be perfectly willing to risk a certain fixed sum. No doubt the hon. Member's inquiry would be more particularly directed to those companies which were formed from private motives for the purpose of obtaining as large an interest as they could. One thing connected with the late panic was the extended scale of its effects, and indeed it affected classes which were wholly different from those which had suffered in prior crises. The ruin which last year brought down so many families to the ground, had affected classes which before had never been known to be much connected with joint-stock enterprizes; and, in fact, all classes were involved in it—farmers, tradesmen, domestic servants, peers, and peasants; and those who were least able to take care of themselves were most deeply involved, because they had in many cases invested their last penny. In addition to the limits of the inquiry which had been sketched out, he would suggest one or two other subjects of inquiry. The hon. Member (Mr. Watkin) had spoken a great deal about the evils of the present system of liquidation under the supervision of the Court; but it was to be hoped that he would also carry his inquiry into the evils of the system of voluntary liquidation, without the supervision of the Court, also. The practices which were said to have been adopted, the extortions said to have been attempted, should be brought to the test of truth, and if they proved to be true—though it was of no use crying over spilt milk—they would serve as a very useful warning to the companies that should come after them. He trusted also that the mode of getting up companies would also be inquired into. There were a race of men who were known as "promoters," and whose business it was to get up companies. All business men were acquainted with the system, but that knowledge was not quite so widely extended as one could wish it to be. The stock-in-trade of a company promoter was very limited. A *Directory* by the help of which he might send out his circulars, and the countenance of some Finance Company, were pretty nearly all he wanted. But then he had to get together a board of directors. Now, to speak of this in the House of Commons was probably to tread upon delicate ground. He (Mr. Morrison) would only say that during the few years he had been in the House he could have turned the prestige of his position as Member of Parliament to very good account, and could have made thousands of pounds if he had consented to sell his name for the purposes of these company promoters. He repeated that this was a delicate matter, and he believed that the hon. Member (Mr. Watkin) could do no greater good than by going thoroughly into this question, and showing how the system worked; and possibly a remedy might be found for a good deal which was complained of. As to giving to companies power to reduce the amount of their shares, he did not altogether agree with the view which had been taken. They all knew that since the panic many companies had taken the step of reducing the amount of their liability, but this was a thing which might be carried too far. If too large a portion of the capital of a company were paid up, there would be no reserve to fall back upon in an emergency, and the credit of the company would be altogether gone. It was always a delicate matter to interfere in commercial enterprize in any way; but Parliament had interfered by placing the word "limited" upon the names of these companies, and it might be a question whether some limit should not be placed to the amount of capital to be paid up. Another question was whether it would not be desirable to carry into limited companies generally the provisions as to publishing the names of the shareholders, the same as those provisions existed in reference to banks. It was known that one of the practices of promoters was to fill up the list with the names of men of straw, so as to induce those who had capital to follow the example thus set of taking shares, and there was at present no protection by law against practices of this sort. He most cordially supported the Motion for the Committee; but whilst doing so he must say that he firmly believed in the principle of limited liability, and that it had nothing to fear from investigation. Further, he believed that as time went on this principle would tend more and more to supersede private enterprize in carrying out commercial undertakings in the country. The change which had been made in the law of liability enabled the poor to invest their savings, and was the means of effecting that for which social philosophers so much longed—namely, uniting together the interests of all classes. Its operation was destined to grow to such an extent that no time should be lost in improving the law before the transactions in connection with it became so large that it would be almost beyond the power of Parliament to deal with it.

Mr. Alderman SALOMONS said, that the House was greatly indebted to his hon. Friend the Member for Stockport (Mr. Watkin) for having brought this important and difficult subject under its consideration. The old law of unlimited partnership was such as to deter rich men from entering into trading companies, whilst the new law of limited liability had rendered such undertakings extremely popular. He was one of those who looked favourably on the system of limited liability, notwithstanding all that had occurred, provided that the business was conducted by capital and not by credit. But, instead of that, what did they see? There was only an inconsiderable amount of capital called up, and the conductors of those enterprizes relied for the rest upon bills of exchange, and credit accommodation of a similar kind. When rash and immoral speculators saw that the law made it easy to set on foot companies with small paid up capitals and enjoying limited liability, they immediately rushed into the making of them, and the only wonder was, that more calamities had not taken place. It was believed that great mistakes had been committed in drawing up the Act by which limited liability companies were constituted. If they looked to France, where the principle of limited liability was well understood, everything there was made to depend on publicity. But here, while there were several documents connected with such associations which shareholders ought to see, one only, perhaps, was made public, and the rest were kept out of sight. In France, on the other hand, all the documents were obliged to be published, and everybody was made acquainted with the *minutiæ* of the concern. There was not such a separation of documents to be sought out by shareholders, as first a prospectus, next a memorandum of association, and third, articles of association, which had to be studied before a person could ascertain what were the objects and constitution of a company of which he proposed to become a member. He thought, however, that his hon. Friend (Mr. Watkin) was mistaken as to what he said in reference to the system of having *gérants* in France. He said that companies there were administered by means of persons who were wholly responsible and whose liability was unlimited; but if they were responsible, they had also all the control of the capital of the company; and he believed that they would be simply going from the frying pan into the fire if they altered the constitution of our joint-stock companies so as to give to one or two *gérants* the whole power over the capital of a company. He believed that a well-chosen Committee would investigate this matter much better than it could be investigated in any discussion in the House. Very great discredit had fallen upon the commercial character of this country in consequence of the ruin into which many of those companies had sunk, and of the difficulties which the law threw in the way of reaching the insolvent parties. As to liquidators they were reputed as nothing more nor less than a nuisance—not only from the extraordinary delays which they occasioned, but also from the fact that no information was to be obtained from them. Nothing more important could engage the attention of the House than an inquiry into the mode in which these companies were got up and conducted, and providing remedies for the defects of the law but without interfering with the principle of limited liability.

SIR STAFFORD NORTHCOTE: Sir, I agree with the hon. Member who has just sat down, that this question can be more profitably discussed before a Select Committee than in this House. After hearing the statement of the hon. Member (Mr. Watkin) as to the grounds on which he asks for this inquiry, and finding that it is not his intention to impugn the principle of the Limited Liability Acts, the Government make no objection to granting this Committee. They think, indeed, that good may arise from it. There is no doubt that there has been of late great uneasiness, and very naturally so, in the public mind in reference to the proceedings that have been referred to, and many of these unfortunate transactions have been, perhaps hastily and without sufficient consideration, attributed to the operation of the limited liability laws. I think that these laws have been made to bear a greater amount of the burden than is really due to them, and it is one of the advantages of having a Committee of Inquiry that we may learn to distinguish between that which is good and sound in the principle on which they rest, and those things which are only incidental accessories to the working of the principle, but which have perhaps conduced to results we all deplore. We may thus perhaps find safeguards that may prevent some of those effects I allude to. I am only anxious to have it understood distinctly that in assenting to inquiry we do not intend to impugn in any way the principle of limited liability, and to say that we are quite aware that there are many points upon which it is desirable that inquiry should take place, and that those points that have already been referred to are well worthy of consideration. As to the question how far it would be possible for companies to reduce the amount of their nominal capital, it is one that has been seriously pressed upon the consideration of the Government. I think that the attention of the House was directed to it last year; and it may become our duty to direct the attention of the House again to the subject. At the same time, it is obvious that it is a question of some difficulty, for it is very essential in giving such a privilege to companies that great care should be taken to prevent injury to the creditors, and that considerable precaution must be used as to the form of notice to be given, so as to prevent any fraudulent transaction in the shape of a reduction of a company's liability. I think that this is one of those points that might be very well considered before the Committee; and from the labours of that Committee perhaps some plan may be suggested to provide sufficient notice of a reduction of capital. As to the mode of liquidation of companies, the hon. Member has made out a good case. I think that it should be looked into, and that this inquiry also might with advantage take place before the Committee. As to the general ground of complaint—that the system gives rise to a great deal of speculation, and that a certain amount of fraud has taken place since the passing of the Limited Liability Acts, and that therefore we are to attribute that speculation and fraud to the operation of these Acts, I may say that I should be disposed to question the accuracy of that suggestion. If we carry our recollections a little farther back we shall remember that, at a time before this principle of limited liability was introduced, there were inquiries into the law connected with the establishment of joint-stock companies, and that similar complaints of fraud and undue speculation were then made. But I will not enter into that question. I am glad that the hon. Gentleman directs his attention rather to practical points of detail, and into those we are quite ready that an inquiry should take place. I think it is unnecessary that I should enter into a general discussion of the subject, especially as the general feeling is that inquiry is desirable; and therefore there is only one other remark that I wish to make. It is with reference to a matter that is, perhaps, not strictly connected with the Motion before us. The hon. Gentleman has reminded the House of some expressions that were used in a speech of mine made upon another Motion of his last year, and also to observations of my right hon. Friend the Chancellor of the Exchequer, with regard to his present Motion. Towards the end of last Session, during that melancholy period of commercial and monetary pressure from which the country was then suffering, the hon. Gentleman brought forward a Motion for an Address to the Crown to issue a Commission to inquire into the causes of the commercial distress, and also into the operation of the currency and banking laws. At that time I was authorized, on the part of the Government, to say that, although we objected to the appointment of a Commission, we would undertake to inquire into the subject during the recess, and in the beginning of the present Session we should be prepared to state our views on the matter, whether we would propose legislation or assent to the appointment of a Committee of Inquiry. On the occasion of the hon. Gentleman's Motion, although the operation of the Limited Liability Act was mentioned as one of the causes of the distress that prevailed, great stress was laid by the hon. Gentleman, and other hon. Members who supported him, on the operation of the banking laws as that to which the distress was mainly attributable. The Government fulfilled their promises, and during the recess they carefully discussed the operation of the banking laws. They did not make any formal inquiry, or take any formal evidence; but they communicated with several gentlemen of high position, who were intimately acquainted with the subject, with a view of, as far as possible, ascertaining the operation of the banking laws and to consider whether it was desirable that legislation should be proceeded with this year, or an inquiry should take place. The inquiries which we made, and the consideration we gave to the subject, tended to strengthen our view of last Session, that the present monetary laws of the country were founded upon a sound principle, and that it would not be wise to propose any legislation to reverse them. At the same time, we felt that there were many points connected with those laws, on which an inquiry might take place with some advantage, and that there were many points of detail which deserved the consideration of the House with a view to legislation. If the circumstances of the present Session had been other than they are, it was our wish that there should be an inquiry into the banking and currency laws, and we were prepared to state to the House those particular points to which we thought it desirable to give attention. The matter, however, did not appear to Her Majesty's Government to be one of such urgency that it might not be postponed for a short time and considered at our leisure. On the very first day of this Session the hon. Member for Stockport gave notice of his intention to bring forward the question which he has opened to-night; and, shortly after such notice by the hon. Gentleman, he put a question to the Government as to their intentions respecting the banking laws. My right hon. Friend the Chancellor of the Exchequer said that he would himself take an opportunity of submitting a Motion on the subject, when he would state the views of the Government respecting it. Now, it was the intention of my right hon. Friend at that time to suggest that the two inquiries asked for, being to a great extent on kindred subjects, should be joined. My right hon. Friend thought it would be difficult, if not impossible, to have two Committees sitting at the same time which perhaps would require the presence of the same gentlemen. But the more we considered the matter the more we felt the difficulty of combining together the two inquiries. Looking, therefore, at the peculiar circumstances of the present Session, feeling the impossibility of my right hon. Friend being able to give that attention to the subject which he wishes, and the inability of many Members well qualified to do so to take part in the inquiry, we have abandoned that course and postponed the intended inquiry into the currency laws. In doing so, however, let it not be supposed that we ignore the importance of the subject. By no means; but considering that it is one upon which there is no immediate hurry to legislate, because we are agreed in the general soundness of the principle on which the currency system rests, we feel it is much better to legislate upon it cautiously and leisurely rather than hastily. In respect to the constitution of the Committee which the hon. Gentleman proposes to appoint, I have only now to express a hope that he will communicate with us in respect to the constitution of such Committee, in order that gentlemen the most experienced and best qualified to investigate the question shall be placed upon it. That object being obtained, I think the best results will follow, and that we shall obtain from this inquiry a large amount of useful information.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the operation of the Limited Liability Acts."—(*Mr. Watkin.*)

And, on Friday, March 8, Select Committee *nominated* as follows:—Mr. Watkin, Mr. Goschen, Lord Frederick Cavendish, Mr. George Grenfell Glyn, Mr. Brett, Lord Robert Montagu, Mr. Stephen Cave, Mr. Hubbard, Mr. Graves, Mr. Solicitor General, Mr. Lowe, Mr. Finlay, Mr. Alderman Salomons, Sir Graham Montgomery, and Mr. Vance:—Power to send for persons, papers, and records; Five to be the quorum.

And, on March 11, Mr. W. E. Forster *added;* March 12, Mr. Kirkman Hodgson *added.*

GAME PRESERVATION (SCOTLAND) BILL.

LEAVE. FIRST READING.

Mr. M'LAGAN moved for leave to bring in a Bill to amend the Laws relating to the preservation of Game in Scotland. He said, its object was to remove some of the causes of that discontent about game which, not unreasonably, in many instances prevailed among the tenantry of Scotland. Of late years several circumstances had tended to increase that dissatisfaction. The relationships between the different classes connected with land had been considerably modified. The modern system of farming rendered a farmer more subject to loss and annoyance from game. Rents had risen, and farming had been conducted on more strictly commercial principles. The palmy days of farming were past, and the tenant was obliged to calculate on every small return he might obtain from his outlay; this being the more necessary, when this annual outlay on manures and feeding stuffs often exceeded the rent paid to the landlord. Cotemporaneously, however, with this increase of rent and expenditure, and diminution of profits, there had been an immense increase in game, caused by excessive preservation, and if to these causes of dissatisfaction were added the difference in the mode of conducting the sport from that in which it was formerly carried on, the discontent which prevailed could be no matter of surprise. Formerly the sportsman, content with a moderate amount of game, rejoicing in the healthful exercise which he was obliged to take in pursuit of it, and knowing that he had always the goodwill of the tenant on whose farm he shot, was always sure of a pleasant day's sport, and never forgot to give a kindly greeting at the farmhouse and deposit some of the spoils of the day. Now, however, in too many instances, the object of the sportsman appeared to be to have a large bag with as little trouble as possible. For months the game had been strictly preserved; and at the proper time he sallied forth accompanied by his keepers, his beaters, his dogs, and the game cart. A wholesale slaughter took place, and the game cart was filled and dispatched to the nearest poulterer or game dealer, without the slightest acknowledgment to the tenant on whose crops the game had been reared. Irritating as such conduct must be to a tenant of spirit, even when the sportsman was the proprietor of the lands, it was still more so when he was a stranger, who, paying a rent for the game, endeavoured to reimburse himself by selling most of what he shot. No wonder a tenant felt discontented when he saw the fruits of his great outlay, his anxieties, his skill, and his labours not merely eaten up, but destroyed by animals which he himself had not the power to keep within reasonable bounds, and which were a source of income and profit to another. It was said, however, that a tenant had no cause of complaint, since, when he took his farm, he agreed to conditions reserving the game to the landlord, and depriving himself of all claim to compensation on account of any injury done to his crops by that game. In some leases, indeed, the tenant was converted into a gamekeeper, and was bound to preserve game and to prevent poachers entering on his farm. The following is a specimen of the game clauses often inserted into leases in Scotland :—

> "As also reserving the whole game, deer, fish, rabbits, and wild fowl, which now are, or may hereafter be, upon any part of the said lands with the exclusive right of hunting, &c.; and that, notwithstanding of any alterations or modifications that may take place in reference to the laws for the preservation of game; and the tenant is hereby taken bound to warn off said lands all unauthorized persons who may be hunting, fishing, shooting, or trespassing thereon. And the tenant and his servants and dependents are hereby prohibited from keeping any dog or dogs on the farm, except one collie or sheep-dog, which dog shall not be allowed to go at large or to go about the fields unless accompanied by the shepherd, and then only for the purpose of tending the sheep; and any dog found at large or following game, the keeper shall be entitled to shoot or otherwise destroy, and the tenant shall have no claim or recourse therefor against the proprietor or his keeper, and the tenant shall not be entitled to carry a gun on the farm, except for the purpose of scaring crows or wood pigeons, which gun shall not be loaded with shot, and the keepers shall be entitled to satisfy themselves on any occasion that said gun is not loaded in contravention of the stipulation. Moreover, the servant of the tenant shall not be entitled to carry a gun on any pretence whatever; but the tenant shall have power to furnish one of his servants with a short pistol for firing powder only, for the purpose of scaring crows, &c."

So that a tenant is not allowed to keep that most companionable of animals, a Scotch terrier. But before condemning them for signing clauses so derogatory to their position as independent yeomen and as men of intelligence and capital, it should be remembered that there was at present a very great competition for farms, owing to many who had made money in other occupations becoming competitors for farms. Moreover, these clauses were stereotyped and unalterable in the leases of many estates, and were till recently, and even now, in some instances regarded by competitors for farms as mere formal sentences which, owing to the great competition, they were inclined to overlook or consent to. They were induced the more readily to agree to them, because, on examining the farm with the view of giving an offer for it, they observed no unusual number of game, and trusted to the honour of the landlord that, at all events, there would be no increase of it so as materially to damage their crops. It had been argued that a tenant on looking over a farm should have satisfied himself as to the amount of game on it; but this was impossible, for, at particular hours of the day, the game retired to the covers, or might, for the occasion, be driven off the farm by the keepers. He knew a case where a tenant, himself a sportsman, having year after year had fields of turnips destroyed by the deer and hares, complained to the landlord of the superabundance of the game, and the landlord, who lived at a distance, resolved to have a day's shooting on the farm to reduce the numbers. An intimation was sent to the keepers, but when the landlord made his appearance very little game was seen. The tenant afterwards discovered that previous to the arrival of the landlord, the keepers had driven the game off the farm, so that their master might not have cause to complain of their excess of zeal in preserving it. In too many instances, indeed, the keeper was the sole or main cause of disagreement between landlord and tenant; and so great was the damage done to a tenant's crops, that he was under the necessity of giving up his farm if the evil were not soon remedied. It was alleged by some that the damage done to the crops by game, even on strictly preserved estates, was immaterial. Such, however, was not the opinion of gentlemen well qualified to judge. He knew a case in which the damage done to the crops and the expense of protecting them from the game on a farm of 560 acres amounted to upwards of £900 for the last two years. The late Mr. Pusey, once a Member of the House, and an eminent agriculturist, gave evidence before a Select Committee of the House on the Game Laws, about twenty years ago. He said that he was once a strict game preserver; but, seeing the evils that arose from the system, he discontinued it, and by so doing, he had more satisfaction in the farming of his estate, and his tenants were more contented. His principal reason for ceasing to preserve game was that he was convinced the farmers had grounds for complaining of the quantity of game that was kept, and of the injury which their crops suffered from hares and rabbits. He also stated that game had become a source of serious loss and annoyance to tenants in those parts where it was highly preserved, and that the landowners would find great advantages from relaxing the protection, or abandoning it altogether. This evidence of Mr. Pusey was corroborated by that of Lord Hatherton, given before the same Committee. His Lordship was at one time a strict game preserver, before he became an extensive improving farmer, when he had seldom less than 2,000 acres of land under improvement. He stated, in evidence, that a very extensive and strict preservation of hares and rabbits was most injurious to land in every way, and he found that to pursue the two occupations—a rigid preserver of hares and game generally, and an improver of his land by planting and farming—was perfectly incompatible. He soon found, as a farmer desirous of introducing among his tenantry and into the neighbourhood a better system of cultivation, that it was utterly hopeless to do so unless he completely destroyed the hares. And, again, he should have thought it perfectly idle to invest capital in the improvement of land if he had not the power of destroying hares. The Duke of Grafton also stated, before the same Committee, that he had destroyed all the hares on his estate in Suffolk on account of the injury they did to the crops of the farmers. Sir Harry Verney also stated it as his opinion that the preservation of game in great abundance was a serious discouragement to good farming. All practically acquainted with agriculture agreed in the opinion of these noblemen and gentlemen that the animals most destructive to the crops of the farmer were the hares and rabbits. It was most difficult, if not impossible, to estimate the damage done by hares, for their depredations were not confined to one place, but extended sometimes for miles; and it was not so much what they consumed as what they destroyed. He had seen a field of turnips destroyed during frost by the hares passing along the rows and taking a bite out of almost every turnip, thus exposing it to the frost and rendering it useless. He had seen fields of grain cut up with their roads and the ground strewn with the heads of grain which had fallen from the straw being gnawed through at the joints by these pests. He had seen fields nearly ready for harvest trampled on and beaten to the ground by them in their mischievous gambols. He had seen a young plantation of firs irreparably injured by the tops of the finest plants being cut off by them. He had seen pastures so polluted by their manure that more useful animals refused to graze on them. He knew some farms where certain crops, such as winter vetches, could not be cultivated. His observations and experience had led him to the same conclusion arrived at by Lord Hatherton—that the preservation of hares and the improvement and the proper farming of land were incompatible. Various estimates had been given as to how many hares were equal to one sheep in the amount of food destroyed by the one and consumed by the other. The estimates had varied from two to six and eight hares for one sheep; and he was certain that, if he took into account the damage done to the different crops mentioned, the lowest estimate would be much nearer the truth than the highest. He recently read of an estate in Aberdeenshire on which 30,000 rabbits and 1,400 hares had been destroyed annually for the last twenty years. Suppose that three rabbits were equal to two hares, and four hares to one sheep, and that there must have been fed on the estate at least double the number annually destroyed, we had a number of hares and rabbits kept constantly on that estate which would be equivalent to about 11,000 sheep. The estate contained about 6,000 arable acres, about 3,000 acres of hill pasture, and about 5,000 acres in wood. Thus, there would be as much food destroyed by hares and rabbits on that estate as if nearly two sheep were kept on each arable acre, or about one and a quarter on each acre in cultivation and in hill pasture. Lord Hatherton, in his evidence before the Committee, stated that—

> "He would be extremely glad to see hares taken altogether out of the class of game, and put on the same footing as rabbits. He believed it would correct a great amount of evil, affecting material interests both of tenant and landlord, and affecting the moral condition of the lower orders; and it was the simplest and greatest improvement that could be made in the Game Laws."

Fully sympathizing in these views, he proposed that hares and rabbits should be dropped from the game list. He knew that some of his friends considered that this was going too far; but he was ready to consider favourably any Amendments that might be proposed in Committee, provided the tenants' interests were protected, and no encouragement was given to poaching. It might be said that rabbits were not game; but they were included in the Act 2 & 3 *Will.* IV. c. 68, or the Day Trespass Act; in the Act 9 *Geo.* IV. c. 69, or the Night Trespass Act; and also in the Act for the Prevention of Poaching of 1862. He proposed, next, to abolish cumulative punishments—that was, punishments imposed by several statutes, under each and every one of which a person might be prosecuted and convicted for one single act. Contrary as this was to the principles of justice and jurisprudence, and opposed as it was to the spirit of our laws, it was still true. For instance, under the Game Qualification Act of 1621, no man could hunt or hawk, "who hath not a ploughgate of land in heritage" under a penalty of £8 6*s.* 8*d.* A ploughgate varied from fifty to 100 acres, so that not a few Members of this House rendered themselves liable to be punished when enjoying their autumnal sports on the Highland hills. Then if the unqualified person committed the offence, or wilfully took, killed, destroyed, or had in his possession any moor fowl or ptarmigan out of the proper season—that is to say, between the 10th of December and the 20th of August, he was liable to be fined both £8 6*s.* 8*d.*, under the Act of 1621, and £5 for each bird he killed or had in his possession, under the Act 13 *Geo.* III. c. 54, and at the same time to forfeit his gun under the Act 1707. Further, if he were a trespasser, and he was convicted before a justice of the peace of being in the pursuit of game between the beginning of the first hour before sunrise and the end of the last hour after sunset, he would forfeit and pay £5, or in default be imprisoned under the Day Trespass Act, 2 & 3 *Will.* IV. c. 68. But if he were convicted of being in the pursuit of game between the expiration of the first hour after sunset and the beginning of the last hour before sunrise, the trespasser would be visited for the first offence, under 9 *Geo.* IV. c. 69, or the Night Trespass Act, with imprisonment with hard labour for three months; and he would be bound to find caution for £10 that he would not trespass again for one year; or, if he could not find caution, he must suffer imprisonment with hard labour for an additional six months. For a second offence the penalty is doubled, and for a third offence he might be transported. And lastly, if the trespasser had not taken out the game certificate, he would have the punishment imposed on him under the Game Certificate Acts. The next clause of the Bill dealt with the tribunal before which all offences against the Game Laws were tried. At present, these were all within the jurisdiction of the justices of the peace. In nine cases out of ten the justices before whom these offences were brought were game preservers, or, at all events, being proprietors of land, were interested in the supply of game being kept up. It was very like appointing a man to be judge in his own case. Under the Day Trespass Act a trespasser was liable to be brought up, and, on the oath of the gamekeeper, to be convicted before the master of the keeper, who was at the same time the proprietor of the land on which the trespass was committed. Every gentleman acting as a justice of the peace under the circumstances would conscientiously discharge the duties which the law had imposed on him, and would endeavour to decide according to the Act. But he could not change human nature, and it could not be denied that a game-preserving justice was very apt to be prejudiced against a poacher; and the sentence, even if according to law, might on that account be unduly severe. This appointing a man to be a judge in his own case was, fortunately, quite an anomaly in our legislation, and quite at variance with the spirit of all recent enactments. No road trustee, who was generally a justice of the peace, could act at quarter sessions in an appeal from a meeting of road trustees of which he was a member. No occupier, or father, son, or brother of an occupier, could act as a justice of the peace under the Factory Act; no coalmaster or tenant of coal works under the Mines Act; no miller or baker under the Bread Act; and no brewer under the Licensing Act. It was proposed to remove all Game Law cases from the jurisdiction of the justices of the peace to the sheriffs of the county in which the offence was committed, who were somewhat similar to the County Court Judges in England. This met the wishes of many justices of the peace, who were desirous of being relieved of what to them was an invidious and irksome task. In most leases there was a clause reserving the game to the proprietor, and frequently there was such a large increase of game during the currency of the lease as to involve a serious loss to the tenant. At present, the tenant had his remedy at law if he had not signed some foolish clause depriving him of his rights. But litigation was generally so expensive, from each party having a right to appeal to a higher court, that few tenants were willing to raise an action for damages from game. The clause provided that the amount of damages in cases of injury caused by increase of game during the currency of the lease should be determined by the sheriff, whose decision should be final. An objection was made to this clause, that the increase of game might have been caused, not by the landlord of the tenant suffering the injury, but by a neighbouring proprietor. It was not difficult to distinguish a game-preserving landlord, who would encourage an increase of game, and one who was contented with a moderate amount of game; and the decision of this point might safely be left with the sheriff. He proposed that there should be a reservation of the rights under all existing game leases, and that the Act should not extend to England. He asked the House to consider the provisions of the Bill in a fair, generous, and conciliatory spirit, remembering that if any concessions were to be made, they must be made by that class which was most powerfully represented in that House to a class whose peculiar interests were but poorly represented. He trusted he had said nothing that would tend to stir up class against class, or to increase the heartburnings which, unfortunately, in too many instances existed between landlords and tenants on account of this question. His object had been, not to widen but to repair the breach between them. He might have detailed many cases of great hardship to the tenant from excessive game preservation; but he only touched on these, preferring to leave his case more to the love of justice and the generosity of the landlords. Legislation could do much in this question, but liberal concessions in private agreements could do quite as much. Let them not be too tenacious of their rights when these operate to the loss of others and the injury of the country. Among no classes of the country was it so desirable to have an amicable understanding as among those connected with the land, for upon a thriving and intelligent tenantry, and a contented and educated peasantry, depended the prosperity of the landlord and the success of agriculture.

Mr. FORDYCE said, the general provisions of the Bill ought to be accepted by the tenant farmers of Scotland as a satisfactory compromise on the game question. In some respects its provisions went too far. In others it did not go far enough; for instance, it did not propose any settlement of the vexed question of game preserving clauses in leases. But it grappled with the question, and was worthy of support. Public opinion in Scotland was very strong against game preserving, and it was very desirable that the provisions of the measure should be discussed in that country, whether the Bill passed or not, as it would pave the way to future legislation. It might appear a miserable question to engage the attention of Parliament; but he could assure the House that in many counties in Scotland it was driving the tenants to desperation. He trusted that something would be done to put an end to the present state of affairs with reference to the preservation of game in Scotland, and restore that good feeling between landlord and tenant which was so essential in a country district for the welfare of every one.

Mr. KINNAIRD said, he wished to thank his hon. Friend for a Bill which appeared to be plain, simple, and admirably adapted to the end in view. Legislation on this subject was absolutely necessary, and some measure like the present would greatly benefit the agricultural interest in Scotland. His hon. Friend had not exaggerated the frightful damage inflicted by hares and rabbits in some parts of the country. He hoped there would be no opposition to the passing of the Bill.

Mr. DYCE NICOL trusted the Bill just introduced by the hon. Member for Linlithgowshire would be favourably received by the House, calculated, as it was, in some degree to meet the grievance under which so many of the tenant farmers in Scotland were now suffering; and to allay that painful and increasing agitation arising from the excessive preservation of game; and by its systematic sale exacting a second rent from the tenant. He hoped that there would be little difference of opinion as to those provisions in this Bill by which the jurisdiction in game cases was transferred from justices of the peace to the sheriff or sheriff substitute, and giving to the same authority power as to the valuation and payment of damage from the increase to an unreasonable extent of game. As there would be other opportunities for its discussion in the progress of this Bill, he would only ask of the House its support of a measure essential to the prosperity of both landlord and tenant.

Motion *agreed to.*

Bill to amend the Laws relating to the preservation of Game in Scotland, *ordered* to be brought in by Mr. M'LAGAN, Sir WILLIAM STIRLING-MAXWELL, and Mr. FORDYCE.

Bill *presented,* and read the first time. [Bill 65.]

SALE AND PURCHASE OF SHARES BILL.

(*Mr. Leeman, Mr. Waldegrave-Leslie, Mr. Goldney.*)

[BILL 38.] SECOND READING. ADJOURNED DEBATE.

Order read, for resuming Adjourned Debate on Amendment proposed to Question [27th February], "That the Bill be now read a second time;" and which Amendment was, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Fildes.*)

Question again proposed, "That the word 'now' stand part of the Question."

Debate *resumed.*

MR. NEATE said, his object in moving the adjournment of the debate on a former occasion was to give further time for the consideration of the provisions of this Bill. They talked of applying the strict principles of political economy to the measure, but he saw no reason why they should not be made to give way under certain circumstances. The principles of political economy had been made to give way in many cases —for instance, in our sanitary laws—and if the Stock Exchange so abused their liberty as to endanger the stability of the pecuniary interests of the public, Parliament had a right to step in and purify its atmosphere, enlighten their consciences, improve their morality, and, if necessary, control their transactions. There was an important distinction between shares in joint-stock banks and the shares of other companies. With regard to rumours circulated to the disadvantage of railway companies, it only injured those who were weak enough or credulous enough to listen to them; but in the case of joint-stock banks, a rumour of that kind affected the stability of a bank, and a run upon the deposits of one bank spread with rapidity to others, and thus affected the credit of the country. Many of these banks were also banks of issue, and thereby the currency of the country was affected. These joint-stock companies were limited in various ways, and therefore it was not just to apply to them the strict principles of political economy. It might, however, be said that it would be dangerous to depart from those principles in regard to these companies, because the adoption of such a course would lead to such an interference being carried further. It was contended that freedom of trade partly consisted in leaving people to calculate chances; but still it was the policy of the law to reduce to its minimum the element of uncertainty in financial transactions. But look at the difference between transactions of the Stock Exchange and the commercial operations of those persons who brought to our shores that which was the essential wealth of the kingdom. It was commonly imagined that the men of the Stock Exchange were better acquainted than other people with the affairs of Europe. So far, however, from that being the case, there was not a more ignorant set of people in the world. [*Laughter.*] He meant to say that their success was a proof of their own ignorance. The only chance for a stockbroker to be successful was not to know whether Berlin was the capital of Prussia or Vienna the capital of Austria. All that a stockbroker knew was what certain great people who represented great interests were doing, or who were the friends of particular people. They bought shares, not for themselves, but for others, and the information they obtained was a sort of back-stairs information, which was not obtained in a creditable manner or used in an honest way. The game on the Stock Exchange was like the game which children played where cheating was made fair. It was like a game at cards where all the cards were marked, and where those who were the cleverest in detecting the marks won the most money. The freedom of dealing in shares, no doubt, tended in some slight degree to increase their value, when the bank or other concern was fully established; but it was within the knowledge of many in that House that, so far from its being considered an acknowledged benefit, a great many of the best concerns in the City kept their business from the knowledge of the Stock Exchange. If they wanted to find out the best investments, they must go into the quiet corners and little squares in the City where the grass grew up between the pavement. They would there find good and honest companies from which the light of the Stock Exchange was entirely excluded. He knew something of these things, and he did not believe that any gentleman connected with the City would deny what he had stated in that respect. The dealing in railway shares might have been advantageous to the great railway companies like the Great Western, or London and North Western, whose transactions were of public notoriety and whose credit could not be affected by rumours; but the doings of the Stock Exchange with reference to them had been the means of keeping them out of the hands of a better set of proprietors and directory, and had most prejudicially affected the general railway system of the country. If it had not been from fear of the Stock Exchange, country gentlemen and landed proprietors would have held their proper place in the management of railway companies. They did not choose to have their money played with on the Stock Exchange. In the country a concern was frequently recommended on the ground that it had nothing to do with that place. He knew that it was commonly said to them, "You may safely invest in this, for it will not be known in the City." If the country gentlemen and landed proprietors had held their proper place in the railway management of the country, they would not have sold their property to each other for four or five times its value, nor would they have claimed heavy compensation for severance, for interruption of prospect, and other things which had run up the bills of companies to such an extravagant amount. The effect of the joint-stock system, therefore, as applied to railways, had been most prejudicial, and had saddled the public with an expense which was daily interfering with their safety and convenience. It was said that the Stock Exchange did no harm to the banking companies during the late panic, but that they brought it on themselves. There could be no doubt that the difficulties attending the Agra and Masterman's Bank were increased by the sort of dealing he had described on the Stock Exchange. If it had been left alone, and had not been subjected to such hard trials, it would have righted itself with much less loss to many deserving and innocent people than had been entailed by this freedom of banking. City gentlemen talked much at their ease on these things; perhaps they did not embark deeply in those speculations, but they noticed the oscillation of the pendulum, and as soon as the thing burst asunder they, like wreckers after a storm, said, "It was a merciful dispensation of Providence, and all for the best, that the ship that was brought on the rocks could not be expected to live—that it was an ill-founded ship, and must have been wrecked somehow or other—the thing had done no harm to any company, and had done them a great deal of good, and that they had been enabled to invest their money at the rate of 15 or 20 per cent in the best securities." Sir John Barnard's Act had failed partly from the difficulty of procuring evidence, and partly because nobody was interested in enforcing it. It had, therefore, fallen into disuse. They had by their legislation put down gambling houses and lotteries, and had in consequence concentrated the whole gambling spirit of the country in the Stock Exchange. Having done so it was too powerful to be dealt with in that House. He only wished to deal with a part of it. It was said that the question was too difficult to be dealt with. He believed that the real objection was that it would be too easy to deal with. There could be no difficulty in carrying out the provisions of the bill, because there would be numbers of joint-stock banks anxious to do so in order to protect themselves. The bill might be an experiment; but he believed this exceptional legislation was called for in the interests of the joint-stock banks and of the public in general.

Mr. STEPHEN CAVE said, that every one must sympathize with the motive which had led to the introduction of the present Bill. A man who speculated in the misfortunes of others, and made his gain out of their losses, was not a man for whose protection the voice of any Member of that House was likely to be raised. The question, however, was whether, upon the whole, the proposed legislation was expedient, and he owned he had grave doubts upon the point. The hon. Member for Oxford had advocated the abolition of the Stock Exchange, and seemed to think country gentlemen would invest in railway shares if they were deprived of the means of selling them. But he was right in thinking that such a measure should be more general. He (Mr. Cave) felt several objections to the Bill before the House. In the first place, it was legislation which touched only one of a large class of cases which could not be distinguished in principle, though the effect upon them might not be equally mischievous. On what ground was a man to be prevented from selling on the chance of buying at a profit, and yet not be prevented from buying on the chance of selling at a profit? The former was the regular course of dealing in many trades. When the debate on the repeal of Sir John Barnard's Act took place in 1860, the cases of tallow and opium were adduced. The French were ready to sell beetroot sugar of the coming crop. The Dutch sold refined sugar for future delivery; in no case had they the goods; they took the chances of buying before the day. Nor were these practices so innocent as the hon. Member seemed to suppose. Many holders of cotton for manufacturing purposes had of late suffered much from rapid fluctuations caused by speculators. Again, as a matter of principle, was there any more reason why, when a broker was instructed to sell bank shares, he should ascertain that his principal had them ready to deliver, than when he was instructed to buy he should insist on seeing that his principal had the bank notes in his pocket to fulfil his contract? Again, on principle, the public had as much right to complain of the price of commodities being raised by speculative purchasers as shareholders had to complain that their property was depressed by speculative sales. No one would seriously propose to interfere with the former. In old times, indeed, the laws against forestalling, regrating, and engrossing were levelled against those practices, but those laws had fallen into oblivion; and it was allowed on all hands that legislative interference was mischievous, bringing the law into disfavour, and tending to its constant evasion. It was that argument which was chiefly urged for the repeal of Sir John Barnard's Act, entitled, as the House knew, "An Act to prevent the Infamous Practice of Stockjobbing"—an Act passed, it was said, by misadventure, and which had for 130 years been powerless to prevent transactions of a similar nature to those against which the present Bill was directed. There was great difference of opinion in the House in 1860 on that subject. The late Chancellor of the Exchequer wished to repeal the whole Act, relying on the Act of 1845 to prevent gambling. But the late Solicitor General (Sir William Bovill), objecting to that, brought in a rival Bill. What was that measure? It was simply a proposal to "repeal so much of Sir John Barnard's Act as prevented persons selling stocks and securities of which they are not possessed." So that the Bill before the House was doubly retrograde, both in reference to the Government Bill of 1860, which was passed, and to the more moderate and cautious measure of the present Chief Justice of the Common Pleas. Well, then, was there any special evil which would justify such special legislation? Certainly, events had taken place in the commercial world which they all deplored. It had been said that certain banks and other establishments had been pulled down by the sellers of shares spreading false reports; but the spreading of false reports was itself illegal, and visited with heavy penalties. He admitted that one argument in favour of the present Bill was that it might enable such delinquents to be fixed with what was so difficult of proof; but the real cause of the downfall of those establishments and companies had been the inherent weakness of the shareholders—a weakness which was in itself almost fraudulent. When a man bought a £50 share for instance, with £25 paid, he rendered himself liable for the other £25, and ought to be able to meet his liability. If he could not, he was prone to take fright when shares fell in price, sold at a loss to relieve himself of a liability, and played into the hands of speculators. Could it be shown that any concern had been brought to a standstill solely by the sale of its shares? Had it not been a knowledge or strong conviction of unsoundness which had caused the sales, not the sales which had caused the unsoundness? He did not mean to say that solvent companies had not been attacked by these speculators for a fall. That had been done in some well-known instances: what had been the result? Why, that the attacking party had been severe losers, because, owing either to defensive purchases or to the natural change of the market, shares were dearer on the settling day than on the day of sale. The House would see how great the risk was which these speculators for a fall ran, bound as they were to deliver what they had contracted to deliver at any price. He thought that risk was quite sufficient protection to the public in ordinary times, and it was for ordinary times only that we ought to legislate in commercial matters. He believed that the best and most wholesome check to gambling transactions was the reduction of the time between contract and delivery to the shortest possible date. He confessed he was, in the first instance, disposed to acquiesce in the measure under discussion. It was one which appealed to our best feelings; but he was afraid, on further consideration, that while aimed at gambling in shares—that was to say, at a colourable contract between parties, in which no stock was to be delivered, but the difference only to be paid according to the rise and fall of the market—while aimed against that which, according to a decision of the Court of Common Pleas, was now illegal under the 8 & 9 *Vict.*, it would place serious difficulties in the way of entirely legitimate transactions, and they all knew that the effect of such impediments was the artificial diminution of the price of such securities as compared with others which were not affected. So that the hon. Member for York would really injure those whom he intended to benefit. In conclusion, he would say that it was because the Bill was confined and partial in its operation, because it partook of the character of panic legislation, because it was retrograde, reversing the decision to which Parliament came so lately as 1860, and because now that commercial confidence was restored—if, indeed, it was restored—it would be found inconvenient, and therefore, like Sir John Barnard's Act, become inoperative, or only operative in giving facilities for, morally, though not legally, fraudulent repudiation of bargains—it was for these reasons that, although heartily sympathizing with the object of the Bill, he thought the House ought to hesitate before adopting it.

Mr. CRAWFORD said, that he would willingly have allowed the matter to rest on the statement of his right hon. Friend who had just sat down, but as one who represented the parties that had come under the invective of the hon. Member for Oxford (Mr. Neate), he felt bound to add a few words. There was no one more disposed than himself to give credit to the hon. Member for York (Mr. Leeman) for his intentions in bringing forward the present measure; but he believed that the proposed Bill would not check the practices referred to, and that it belonged to that class of exceptional legislation which the House should be very cautious in adopting. It had the appearance of legislation under the feeling of panic, and the transactions against which the Bill was directed were exceptional in character and did not often occur. The right hon. Gentleman who last spoke had rightly said that the houses which suffered from the operations of these speculators were in every case in circumstances rendering them suitable objects for attack, and it was notorious that with respect to banks of another class their attacks failed. There was one subject he approached most unwillingly; but the hon. Member for Oxford, when he named the Agra and Masterman's Bank as one of the establishments which failed entirely in consequence of the proceedings of those speculators, stated that which was not at all founded in fact. The cause of the suspension of that bank was that it was founded on wrong principles of business, and that it was badly conducted. If, like other banks, it could have offered sufficient securities to the Bank of England, it would have received assistance. He would now say a few words on the constitution of the Stock Exchange and the nature of the transactions there carried on; because he did not believe that ten men in the House unconnected with the City understood the nature of its operations. The gentlemen of the Stock Exchange consisted of brokers and jobbers or dealers. The brokers were persons who bought or sold for clients on commission, while the business of the dealers was to deal in certain shares, stocks, or securities, which they selected for the purpose, neither buying nor selling for clients on commission. The dealers were always ready to buy or sell at a price. A broker having stock to sell or buy went to a dealer and asked him to name a price for the stock he dealt in. The dealer named a price, and at that price he was bound to purchase or to sell. The advantage to the public of this kind of transaction was considerable. If a person possessed of a certain amount of stock—to the amount, for instance, of a broken sum, like £8,550—wished to sell, his broker went into the market, and sold the whole amount to a dealer at its fair market price. Such operations as that would, however, be put an end to if the present Bill were to pass; and then the selling broker would be compelled to try and find some one desiring to buy the same amount as he had to sell of that particular stock, which in many cases he might not find it easy to do. The broker would also be obliged by the Bill to declare the respective numbers of the shares, or the seller's name. Now, in the case of a bank, if it were published that the principal person connected with it was selling the bank shares, their price would go down immediately, and he would not be able to get the fair price for them. Under the existing system the dealer was a most useful man, the person of the highest honour, and necessarily possessed of capital. The hon. Member for York had on a previous occasion referred to the committee of the Stock Exchange in a manner, though it might not be so intended, calculated to disparage that institution, and had complained of a certain resolution adopted by a majority of 15 to 12 out of a body consisting of thirty members; but what had happened since? Either at the end of last week or yesterday, these thirty gentlemen had been summoned to attend again; nineteen attended, and they came to the conclusion that this Bill ought not to be proceeded with by a majority of 18 to 1. The hon. Member for Oxford had characterized the people of the City as "wreckers." He seemed to be under a sort of impression that people sat there as crows on a tree, watching the progress of the plough to see what would be turned up. No one could agree with such extraordinary sentiments. It was said that collusion would take place, and that fictitious sales were made on the Stock Exchange. He begged to state on authority that fictitious sales never occurred there, and that collusion was impossible from the way in which business was carried on. The only object of collusion could be to sell the price of particular stock down; but what would be done if the price of any stock went down in an extraordinary degree? If a sale was recorded or put up at a great margin below the market price of the day, inquiry would be instantly made by the committee as to who was the seller, and what was the cause of the great fall in price. If there was collusion it would come to light instantly, and any parties who had lent themselves to such a transaction would be immediately expelled the house. The method pursued by the Stock Exchange secured equability of price, and that was one of the great advantages it gained for the public. The persons against whom this Bill was directed were not Stock Exchange men. Like Cain, they had a mark upon them. They were people outside the Exchange, and carried on their transactions by giving a commission to a broker. This Bill would not cure the evils complained of. His right hon. Friend (Mr. Cave) had so well stated his objections to the Bill that it was unnecessary to supplement them. Its object was exceptional, retrograde legislation, and it would inflict great disadvantage on the public occasionally resorting to the Stock Exchange.

MR. ALLEN said: I think the Bill which has been introduced by the hon. Member for York, and which we are now asked to read a second time, is one of a most important character, and one which is calculated to be most beneficial to the interests of the joint-stock banks of this country. The simple object of the Bill is to prevent any sale of shares in a joint-stock bank which is not a real *bonâ fide* sale of shares which are actually in the market at the time for disposal. This Bill will consequently prevent all that system of bearing the market, and speculating for a fall, which has been carried on to so great an extent, and which has, in some instances, seriously affected the stability of various joint-stock banks. Now, it is important to notice that this Bill places no obstacle in the way of any *bonâ fide* holder of bank shares selling any shares which he may actually possess, at any time or at any price he may choose; and it likewise places no obstacle in the way of any *bonâ fide* buyer buying any shares which may be actually in the market; but, on the other hand, it does strike at the very root of that rotten and gambling system of buying and selling shares which are not in the market for disposal, on the speculative chance of procuring them by a certain day on paying the difference in price. Now, it has been asked, why should not this Bill be extended to consols and railway shares as well? and to this I answer, that there is not the same necessity for restriction in those as there is in the case of bank shares, because their stability cannot be damaged in the same way by a combination on the Stock Exchange. Take, for instance, the case of consols. You may indeed, by bearing the market to a great extent, bring down the price of consols in a fractional degree; but you cannot materially affect them, and you cannot at all affect their security, because they are backed up by the whole wealth and credit of the nation as security. Then, again, with respect to railway shares, you may indeed, by a combination on the Exchange, bring down the price of the shares of any particular line; but still you cannot materially affect them, because railways are not dependent in the same way on credit for their stability as banks, and, above all, from the fact that the borrowed money of a railway is borrowed on debentures for a term of years, and cannot be suddenly called in in case of a panic. But, on the other hand, under the present system joint-stock banks are entirely dependent on their credit for their very existence in this way: a joint-stock bank, with a paid-up capital of say £1,000,000, will probably have deposits to the amount of from £5,000,000 to £15,000,000. Now these deposits, amounting to between five and fifteen times the amount of the entire paid-up capital of the bank, are at call, or at a very short notice; but, on the other hand, the banker is obliged to employ them in his business in discounts and advances, by which they are locked up for one, two, three, or more months, as the case may be, thus rendering them not available for a sudden emergency. Now, this being the case, the bank is entirely dependent on its credit with the public for its stability; because the banker labours under this great disadvantage, that he is a trader who trades for the most part with borrowed capital, and with borrowed capital of the most dangerous description, as it is liable to be demanded from him at a moment's notice. And the consequence of this is, that, as he is dependent on his credit for his stability anything which shakes the credit of his bank alarms the depositors, who hasten at once to withdraw their deposits; and, whether there is just cause for alarm or not, if a run on the bank takes place of a sufficiently severe character, the soundest joint-stock bank must stop payment, from the inherent weakness of the present system—that their deposits are at call, while the banker is compelled to employ them in the legitimate course of his business for a lengthened period of time, so that they are not available if suddenly called for. Now, this being the case, a combination on the Stock Exchange by interested parties, by means of fictitious sales, coupled with rumours as to a bank's soundness, may very soon bring down the price of the shares of any particular bank; and this without a single share being actually in the market, and without a single *bonâ fide* holder offering his shares for sale. Then when depositors see that the shares of a bank are falling in price, and hear of rumours against its soundness, they very naturally feel alarmed, and begin to withdraw their deposits; and if the withdrawal of deposits goes on to a certain extent the bank must become embarrassed, and ultimately suspend payment; and all this mischief having arisen from a combination on the Stock Exchange to injure a bank by means of these fictitious sales. But it has been said that this Bill is an interference with the freedom of trade, and I boldly assert that it is nothing of the kind, because it will not place the slightest check on any real *bonâ fide* sale of shares; it will only prevent that cruel and wicked system of bearing the market which has brought ruin to hundreds of innocent persons. This Bill cannot injure any one, except it be a few dishonest and unprincipled stock jobbers; and when, on the one hand, there are the interests at stake of the great classes of shareholders and depositors in the different joint-stock banks of this country, and, on the other hand, the interests of a few unprincipled men, who care not for the amount of misery they inflict, I trust the House will not hesitate for a moment as to its decision with respect to the second reading of this Bill.

MR. BASS said, he should oppose the second reading of the Bill. There was in the late panic not a single bank which failed that did not do so through some inherent weakness. He had received communications from many commercial men, to the effect that in their opinion the Bill of the hon. Member for York (Mr. Leeman) would operate most injuriously to the holders of shares. So far from its being a protection to them it would be almost impossible after the passing of such an Act to have any large transactions in the shares of joint-stock banks, for no broker would hold £20,000 worth of such stock in hand on the chance of meeting with a purchaser for so large an amount. On the one hand, the public would be the sufferers by the limitation of the business; while, on the other hand, the shareholders, instead of finding a ready sale for even the largest number of shares, would have to haggle with buyers, who would probably only buy a few at a time, and the consequence would be that the market being so restricted they would fall in value accordingly. Again, it might operate very injuriously to individuals; because, whenever a large number of shares were offered for sale, it would get abroad that Mr. So and So was selling his bank shares, and probably the effect would be that when 100 out of say 500 were sold, there would be no market for the rest. The House would do well to recollect that there could not be "bears" without "bulls;" there could be no sellers where there were no buyers. Both buyers and sellers were bound to look after themselves, and the less Parliament had to do with them the better.

Mr. WEGUELIN said, he was afraid that the opinion of the House was against the Bill, but he thought a good deal was to be said for its principle. He could not agree in the statement of the hon. Member for Derby (Mr. Bass), that no joint-stock bank failed in the panic that was not inherently weak. Could he point to a single one in which now, after the panic was over, the creditors did not expect to get every farthing of their money? and if so that was a proof that, had it not been for the alarm and consequent run, and had they had time to call in their capital, or even their securities, they would have been perfectly solvent. Such operations as those complained of by the hon. Member for York (Mr. Leeman) would, if persisted in, go far to ruin almost any bank. Their object was to cause a run on the deposits, and thus lower the price of shares. The House knew that, even in ordinary times, it was almost a ruinous thing for a bank to make a call. The public, who were depositors, immediately took the alarm, rushing to the conclusion that the bank must have made some enormous bad debt, and at once proceeded to withdraw their deposits, thus precipitating a catastrophe which would never have taken place but for the operations complained of. The only resource a bank had was its credit. The business of a bank was carried on with other people's capital, and any blow to its credit that induced depositors to withdraw their capital must lead to its ruin. Taking the best and most substantial bank in London—the London and Westminster—it would be found that the £20 shares were worth £95, £55 of which represented the value of its good-will and credit, and this part of their property was exposed to the attacks of unprincipled speculators, combinations which it was the object of the Bill to destroy. The limitation of the sales to those of actual shares would not in the least limit the real *bonâ fide* business, and although it was quite true that it would limit the speculative transactions on the Stock Exchange, the sufferers would be clearly not the public, but the stockbrokers, who formed these combinations. It was said that the law would be constantly broken—that Sir John Barnard's Act was; but that might equally be said of all laws. In legislation affecting interests it was a right principle to give the greatest weight to the interests of the greater number. It was plain that there were concerned in these matters two parties, one including shareholders, depositors in banks, and the general public, who were injured by the combinations complained of; and on the other side the stockbrokers for whose benefit these combinations were made. He asked which of these parties ought to be most considered? It was all very well to reason calmly now that there was no crisis, and men said how foolish it was in shareholders to be alarmed. But he was not at all sure that if there were a financial panic at this moment a Bill of this kind would not receive the support both of the Vice President of the Board of Trade (Mr. Cave) and the hon. Member for London (Mr. Crawford.)

Mr. MILLER said, he should support the Bill, considering that the reasons advanced against it were entirely fallacious. One of the arguments used was that it would curtail transactions in banking shares. That was not a consideration for the public, though it might be for sharebrokers and stockjobbers in the City. The hon. Member for Reading seemed to think that if people put money into a business which they did not understand and lost it, it was their own fault, and there was nobody to blame. He could not subscribe to that doctrine, neither could he believe that in such cases widows and orphans were not entitled to the protection of the law. The Member for Finsbury had mixed up two questions when he opposed this Bill on the ground that it was an attempt at legislating for trade. He (Mr. Miller) had always understood that the evils which the Bill was intended to meet sprung from illegitimate trade. What were the means adopted by these conspirators when they thought they could get a profit by trading on the fears of shareholders? They marked out a particular bank, got at the names of the depositors, scrupling not to employ bribery for that purpose, and then, having spread false rumours, brought them to the notice of the depositors in anonymous letters; while, on the other hand, they wrote anonymous letters to shareholders, advising them, if they wished to save anything, by all means to sell. Why did they do this? Because they themselves had sold large numbers of shares of a fictitious character to be delivered on a certain day, and the difference between the price of the shares on that day and the higher price at which they had sold them would go into their own pockets. He thought this Bill should pass, if only as a tentative measure. It did not go beyond banking shares; and, inasmuch as banking was an exceptional business, it was entitled to protection against such unholy combinations.

Mr. CLAY said, that although banks subject to the attacks of conspirators might not be broken they were always grievously injured. It was not the custom for banks to keep sufficient money in their drawers to meet extraordinary emergencies. The soundest bank in the country, of which he had been one of the first six shareholders, never kept in its drawers sufficient to meet an extraordinary emergency, but only sufficient to meet ordinary requirements. Therefore, in a case of an extraordinary emergency money must be realized, and securities must be sold at a depreciated value, all of which would be prevented should the Bill of his hon. Friend become law. The evil complained of was of no modern date. Fifteen years ago an old-established, highly respectable, and perfectly solvent institution, paying a moderate dividend of £8 per cent, actually lost £70,000 in one half-year by the spreading of these wicked reports. He attached very little importance to the resolution passed the other day by the stockbrokers, because they would naturally be opposed to any measure which was likely to restrict their business. He could not agree with the hon. Member for the City of London (Mr. Crawford), that this measure, if passed, would be inoperative; nor could he agree with the right hon. Gentleman the Vice President of the Board of Trade (Mr. Cave), that the restrictions which it would impose would affect the value of banking shares, because he did not believe that such sales as those which it would prevent, raised the value of securities. The shares in the old waterworks and insurance companies never came upon the Stock Exchange, and yet he had never known any one experience difficulty in selling them in a day or two. The Bill might need some amendment in Committee, but its principle was a sound one.

Mr. MILNER GIBSON said, that there could be no question that the circumstance, that a security could be immediately turned into money, increased its value. In some cases, weeks elapsed before sellers of the class of shares referred to by the hon. Member for Hull (Mr. Clay), could obtain their money.

This Bill provided that dealers should not sell the shares of joint-stock banks unless they complied with certain formalities. If the observance of those formalities was impossible or inconvenient, dealers might refuse to trade in these securities, the trading in which, without those formalities, would subject them to be punished for a misdemeanour. That would place the shares of joint-stock banks at a disadvantage in comparison with all other shares, because it would be almost impossible to convert them readily into money. He considered the middle men, or jobbers, on the Stock Exchange a most valuable class, and was surprised that disparaging remarks should have been made with reference to them. Undoubtedly their dealings had a tendency to support prices, and therefore they benefited the holders of this kind of stock. Seeing the enormous amount of this kind of stock that was held by the public, it was to the public advantage that there should be a ready means of disposing of the shares in the market. If the law was not strong enough to reach the conspiracies of which complaints had been made, he should be glad to see it strengthened; but he believed that if this Bill was passed, the remedy would be worse than the disease.

Mr. PEASE said, he desired to say something in behalf of the commercial public. Those who had watched the panic of last year knew that the commercial public had suffered more than any other body from its consequences. The right hon. Gentleman who had last spoken highly appreciated the services of middle men. He appreciated them very lightly, especially in relation to banking shares, and if bank shareholders were polled to-morrow they would be found of the same opinion. They would rather do without the middle man, even at the cost of accepting a less price for their shares. He appreciated the difference between moral and immoral trading, and he would therefore vote in favour of the Bill, in the hope that it would stop the plottings of the blacklegs of the town.

Mr. THOMAS CAVE said, he was too deeply interested in this question to permit himself to give a silent vote. He had listened with pain to the seeming levity with which the hon. Member for London (Mr. Crawford)—he had almost said Member for the Stock Exchange—had treated the subject. It was absurb to say that this Bill would depreciate a bank's shares when its chairman sold any quantity, because everyone knew that now, even without the Bill, the fact that such a sale had been made was known in a few days, because a transfer must be signed. The hon. Member for the City forgets the widows and orphans and other holders in joint-stock banks who suffered by the panic of last year. The hon. Member for Oxford (Mr. Neate) had overstated the case, but there was a good deal of truth in what he had said. There were no doubt many honourable men engaged in transactions in these shares, but there were unfortunately a great many others who fully deserved the appellation of "wreckers." Good banks did go down in consequence of this wrecking system. He knew of a good bank that was placed in the utmost peril by this system. It required the assistance of its friends and customers to carry them through it. He was afraid the hon. Member for York (Mr. Leeman) had damaged his own case when in introducing the Bill he had spoken ill of the members of the Stock Exchange, who were a very estimable body. The Stock Exchange had been too often regarded as the offender. He, however, knew of a case in which an auditor who thus had access to the books of a certain bank, had become possessed of information as to a weak point in its affairs; he thereupon sold 3,000 of its shares which he did not possess, then circulated damaging reports about the concern, brought the shares down with a run, bought in before his settling day, made a fortune, and retired from business.

MR. H. B. SHERIDAN said, he thought that his right hon. Friend fell into error in supposing that this Bill, if passed, would put an end to the transactions in bank shares on the Stock Exchange. Those transactions were confined to two sets of dealers—those who dealt having shares to sell, and those who dealt having no shares to sell. Those who had shares to sell by legitimate directions from their clients, would sell them with more satisfaction if this Bill would pass than at present. He would support the Bill because he believed it would give great satisfaction to all *bonâ fide* holders of stock, and because the banks throughout the country were in favour of it.

MR. LEEMAN said, he must call attention to the remarkable changes which had taken place in the minds of certain hon. Members in regard to this measure. The hon. Member for Grimsby (Mr. Fildes) who moved the Amendment had expressed to him on a former occasion his satisfaction that the Bill, as originally introduced, had been reduced so as to apply only to joint-stock banks. ["No, no!"] The hon. Member said "No;" but he (Mr. Leeman) had in his hand the original Bill, with the words, "and other joint-stock," obliterated by the hon. Gentleman, and the words, "joint-stock, finance, and other companies," written by him in the margin. Subsequently the hon. Gentleman put a Motion on the paper to move the omission from the preamble of the words he had obliterated, and to make the Bill applicable only to joint-stock banks. The hon. Member for Greenwich (Mr. Alderman Salomons) made a statement on Wednesday last in reference to the Bill which surprised him. Last year he (Mr. Leeman) prepared a question to be put to some Member of the then Government, inquiring whether their attention had been directed to the practices then being carried on at the Stock Exchange, and he showed the notice to the hon. Gentleman the Member for Greenwich, who on that occasion made the suggestion from which the Bill emanated. His hon. Friend said, "Do not ask any question; bring in a Bill." The hon. Member for the City of London (Mr. Crawford) stated that a change had also come over the minds of members of the Stock Exchange, and that whereas there had been a minority of 12 against a majority of 15, of opinion that legislation was needed—now the minority had been reduced to one gentleman, who continued of that opinion. He could not help thinking that the distance of the fatal 11th of May had operated on the minds of some Gentlemen. Hon. Gentlemen were mistaken in supposing that the great banks of the City of London were opposed to the Bill. He had himself presented petitions in its favour from four of them, and he had the authority of two others for saying that they were also in perfect accordance with the views he sought to enact by the Bill. The petitions presented from all parts of the United Kingdom left no doubt as to the opinion of the joint-stock banks throughout the country on the subject. In fact, the opposition to the Bill came only from the City of London, and the arguments were conducted as if the City only were affected. Not a single Member representing a country district had ventured to utter a word against the Bill. The Vice President of the Board of Trade was connected with one of the largest institutions in the City of London. The hon. Member for the City much misunderstood his remarks on Wednesday, when he said that he had sought to disparage the Stock Exchange. He (Mr. Leeman) appealed to the House whether he did not say, as regarded the Stock Exchange, that it was composed of gentlemen as honourable as any in England; but there were others who had allowed themselves to be the vehicles of transactions last year which required some legislation on the part of that House, seeing that the Stock Exchange would not take action to put an end to them. The reasoning against the Bill was based on the assumption that the real investors in joint-stock banks were persons who perpetually bought one day and sold another. A comparison of the names of the shareholders of those banks, published from time to time, would show that the assumption was groundless. There were no fewer than 50,000 investors in joint-stock banks, and an examination of the lists would show that they did not go in one day and out another, and that they did not require the assistance of jobbers and dealers on the Stock Exchange. It had been said that there were no fictitious sales last year. He had it from members of the Stock Exchange that not one in a thousand of those transactions resulted in actual transfer. If so, were not the sales fictitious? The sale notes were no more than mere registers of bets—records of wagers that stock on a given day would stand at the price mentioned in the sale note — and that was the state of things he sought to check. It was said also that investments should never be made except in solvent and well managed concerns. Why, the Bank of England itself many a time in the present, as well as in the past century, had been in no better position than some of the joint-stock banks last year. He hoped the House by its decision would sanction this measure, the object of which was to give security to permanent investors. It was a simple proposition, easily understood. It had been contended that the Bill would inconvenience real holders of bank stock. The fact was, that real investors were seldom in the market at all. The only persons the Bill would affect, were those who dealt in fictitious sales. The permanent investors were interested in the Bill; but there was another class also deeply interested—namely, the depositors, for whom he was desirous of obtaining the security which the Bill would afford.

MR. ALDERMAN SALOMONS said, he had never in any way given the remotest encouragement to his hon. Friend to bring in a Bill like that before the House.

Question put.

The House *divided*:—Ayes 86; Noes 41: Majority 45.

Main Question put, and *agreed to.*

Bill read a second time, and *committed* for *Friday.*

EXECUTION OF DEEDS BILL—[BILL 26.]

(*Mr. Goldney, Mr. Leeman, Mr. Powell.*)

COMMITTEE.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

MR. GATHORNE HARDY said, he was anxious to hear from his hon. Friend (Mr. Goldney) what object he had in view in making the alteration in the law which this Bill would effect. When the Bill was read a second time, he was unfortunately absent from the House, and did not hear his hon. Friend's explanation. It seemed to him no good object would be gained by passing the measure, for it could not be said that the law in force did not work well. The present law was settled upon recommendations of the real property Commissioners, and he could not see why it should be altered.

MR. GOLDNEY said, his object was to get rid of a cumbrous mode of proceeding at present in existence, and which was no security to married women, or to the public, but which put parties—particularly those having small properties—to unnecessary expense. The law now required that a married woman should acknowledge every deed executed by her, which purported to pass her estate or interest, before two commissioners, but only one of them was required to be a disinterested party, and the other was generally the married woman's soicitor. The certificate of such acknowledgment, and an affidavit of the facts, had now to be sent to London to be registered; but what he proposed was that there should be an endorsement upon the deed itself, instead of such registration. Since the Act of 1834 was passed, he understood that the expenses under it —and what he deemed wholly unnecessary expenses—had amounted to £1,500,000.

His Bill would give every protection to married women's rights. They would have an independent person to explain to them their rights, and to ask them if they knew what they were about before they would be allowed to execute a deed. The Law Institution had accepted the measure after making one suggestion, which would be remedied in Committee. As there was nothing in the Bill which at all militated against a married woman's rights he hoped the House would allow it to proceed.

The ATTORNEY GENERAL said, that the law which his right hon. Friend sought to alter was settled after much consideration, and was adopted on the recommendation of some of the most eminent lawyers of the time, with a view to protect married women in disposing of their property. These piecemeal reforms, brought in to disturb a large plan of legislation, were not desirable. As it now stood the Bill merely dispensed with the certificate of the execution, and with the registration of that execution. He could not agree with his hon. Friend that this was a matter of no importance. The opportunity of search which this registration afforded was of such importance that since 1860 no fewer than 700 searches had been made. That showed the necessity of the existing system. He also objected that the Bill abolished the employment of the officers employed under the present Act, and provided no compensation. He trusted the House would not pass a Bill, the object of which was to disturb what had been so carefully settled by legislation. Thinking that no sufficient grounds had been shown for altering it, he moved that the House do go into Committee on the Bill that day six months.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House will, upon this day six months, resolve itself into the said Committee,"—(*Mr. Attorney General,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

Mr. GOLDNEY said, he must persist in taking the sense of the House. His object was to get rid of an unnecessary, cumbrous, and expensive machinery, and to remedy the inconvenience felt by parties sending home powers of attorney for the sale of land from the colonies. The opposition was not to the measure itself, but was founded upon the fact that the Bill would remove the present registrar and the two clerks employed under him.

The SOLICITOR GENERAL said, he opposed the Motion for going into Committee—not because the Bill would deprive an officer of salary without providing compensation, which would in itself be a hardship, but because the measure was unnecessary. Under the present law ample protection was afforded to married women according to rules laid down by the Court of Common Pleas. Those rules gave the utmost security to married women in transferring their property, and it was for exceptional cases, where a spendthrift husband attempted to get possession of his wife's property, that the protection was necessary. The hon. Member, to be consistent, should have proposed to abolish the acknowledgments altogether. That the certificate was not useless was proved by the fact that since 1860 there had been 700 searches, and during last year and the present year about 150.

Amendment and Motion, by leave, *withdrawn.*

Committee *deferred* till *Friday* 15th March.

House adjourned at a quarter before Twelve o'clock.

HOUSE OF COMMONS,

Wednesday, March 6, 1867.

MINUTES.]—Select Committee—Army (India and the Colonies) *nominated.*
Supply—*considered in Committee—Resolutions* [March 1] *reported.*
Ways and Means—*considered in Committee*—£369,118 5*s.* 6*d.* Consolidated Fund.
Public Bills—*Second Reading*—Tests Abolition (Oxford) [16]; Religious, &c., Buildings (Sites)* [64].
Committee—Sugar Duties (*re-comm.*)* [37].
Report—Sugar Duties (*re-comm.*)* [37].
Considered as amended—Duty on Dogs * [36].

DISTURBANCES IN IRELAND.

QUESTION.

Mr. MONSELL: Sir, information has reached me, within the last few minutes, that an outbreak of the Fenians has taken place in Ireland; and I wish to ask my noble Friend the Chief Secretary for Ireland, Whether the Government has received any information upon the subject; and, if so, whether he will state to the House what it is?

Lord NAAS: At a quarter before eleven o'clock this morning, I received the following telegram from Dublin Castle, from the Under Secretary, Sir Thomas Larcom. I have received no further information; and therefore I think I had better read the telegram to the House, and the House will then be in possession of all the information which the Government themselves have upon the subject. There is also a second telegram, which has been received at the Admiralty, from Commander Williams, stationed at Youghal. This is the telegram received from Sir Thomas Larcom—

> "Wires cut early in the night between Dublin and Cork, and between Dublin and Limerick, and later in the night between Dublin and Limerick Junction. Up mails late; engine despatched from Thurles to discover the cause; found line blocked up with sleepers, and rails torn up one mile south of Thurles. All communication with Cork, Limerick, and Tipperary therefore denied to us, and we are ignorant as yet of what has taken place there. The rising around Dublin, from Drogheda round to Dundrum, generally, but not as numerous as the Fenians expected. In the dark impossible to estimate numbers; estimates vary from 1,000 to 4,000. No serious outrage on persons or property. At Drogheda police barrack attacked, assailants driven off and followed, some shot, and some prisoners taken. Metropolitan police stations at Kilmainham and Crumlin attacked without success. The city, emptied of its troublesome class, remained perfectly tranquil. Troops very skilfully disposed. One of the men taken had Greek fire, as well as arms and ammunition. Many now returning in twos and threes."

This is the telegram received at the Admiralty—

> "Fenians, number unknown, rose and attacked the police station at Castlemartyr, twelve miles from here, at 2.30 this morning. One man, an American, said to be shot, and several wounded. Troops gone from here to assist civil force. Telegraph wires cut between this and Cork."

I may say, further, that I am perfectly convinced that most ample preparations have been made, and that the military authorities throughout the country are fully prepared to meet the emergency.

TESTS ABOLITION (OXFORD) BILL.

(*Mr. Coleridge, Mr. Grant Duff.*)

[BILL 16.] SECOND READING.

Order for Second Reading read.

Mr. COLERIDGE, in moving the second reading of this Bill, said: Sir, the Bill is substantially the same as that which I introduced last year; and therefore I do not propose to detain the House at any length from the issue proposed, a simple issue—a very important issue—but one as to which I cannot bring myself to entertain any serious doubt. Indeed, it is not necessary for me to discuss the matter much at large. So far as I am able to deal with the question, I dealt with it last year at length upon a like occasion to the present; and though, of course, I do not suppose that any remarks of mine in detail are remembered by the House, yet the debate, I have no doubt, is remembered. The general scope of the discussion is well recollected, and hon. Members of the House who take an interest in this question are pretty well aware by this time, after the many debates in this and former Parliaments, of all that is to be said for or against this very short and very simple measure. It is only necessary for me, therefore, to recapitulate very shortly the heads of the argument which a year ago was submitted to the House. First of all, we contend that the University is a national institution in a sense which thoroughly justifies the interference of Parliament to compel the admission of all the subjects of the Queen to a participation in its benefits, without reference to the religious communion they belong to, or the religious belief they hold. It is national in a sense in which the Colleges are not. I do not say I do not mean that Parliament may not, as it repeatedly has, most properly interfered with the Colleges; but I maintain that to be a different and distinct question, mixed up with very different considerations from those which affect the University, and carefully to be kept separate and dealt with by itself. Next we say that it was only, so to speak, by accident, and by no means with the views and objects which are now maintained, that the University first lost its purely educational character and became sectarian, or, to avoid the use of an offensive word, exclusive. The right hon. Gentleman the Member for the City of London (Mr. Goschen) has shown that it was in the Chancellorship of Lord Leicester, in the time of Queen Elizabeth, that these Acts were first imposed, and then for very different objects from those for which they are now maintained. Furthermore, we say that all subjects of the Queen are entitled, as a matter of fairness and justice, to the advantages of the University, unless some danger accrues to some important part of the Constitution by their admission, and the onus is on you who exclude them.

There are a set of loyal well-affected subjects—here is a national institution; show me by some strong and conclusive proof why they are not to belong to it, or at once suffer them to enter. Again, we contended, and I think we showed, that no danger was reasonably to be apprehended from the admission of Nonconformists to any interest or any institution which this House is bound to consider or to protect. On the contrary, great advantages, in many ways, are likely to follow from this admission. Nonconformists will be benefited by a familiarity with the beauties and noble associations of the University, and by the high intellectual training which they will receive in a place speaking to the mind no less than to the eye. The University will be benefited not only by the new class of minds who will come to it, but by the wider sympathy with the national mind which will follow from this measure, and the broader foundations on which in consequence it will stand in the heart and affections of the people; and the Church will be benefited by the free discussion and healthy rivalry with the best men and most cultivated minds of other communions which may be anticipated as a probable result. On this last point only I desire to add a word, for on such a subject as this the opinions of the humblest Member of the House should not be left doubtful if he has the opportunity to make them clear. It must be plain, I think, to any one who studies the signs of the times, and who lives at all amongst educated men, that the Church will be obliged greatly to widen her gates and largely to liberalize her tests if she is in any way to retain within her communion the substantial majority of men of religious feeling and religious thought—unless she can retain them, she will cease in any true sense to be national; and if she ceases to be national, she will soon cease to be established. A repetition of the scandal of the Irish Establishment in England would be simply and wholly unendurable. I know well, indeed, that to the existence of a Church some definite limits of opinion are absolutely necessary, and if the time should ever come for discussing what those limits should be—why, they must be drawn. Now, I am only concerned to say that the liberty I claim for myself it seems fair to grant to others, and that if the Church is to be national she must needs be very comprehensive. Can any fair man doubt that already the Thirty-nine Articles are costing us dear? Does any candid man deny that year by year it is becoming plainer that it will not do much longer to bind the religious thought of the 19th century within the bands of the theological language used in the 16th? I can conceive no greater boon which the University could confer upon the Church than to train and discipline the spirit, whether within the Church or without it, which is to give her greater freedom:—and I could earnestly desire that, like the light which broke from the tomb of Michael Scott over the aisles of Melrose, the lamp of religious liberty might be carefully guarded and regulated in the University and send out its benificent rays therefrom. Such, in short outline, are the affirmative grounds on which I support this measure. And what are the objections? The only practical and substantial objection put forward last year by the distinguished men on the other side was, the danger to the religious teaching of the University if Dissenters were admitted to the full privileges of membership. It is very difficult to understand or to deal with this objection if we leave the region of theory and descend to facts. A Dissenter may take a B.A. degree, and the religious teaching is safe—nay, he may take a M.A. degree, under the restrictions proposed last year by my hon. Friend the Member for the University of Oxford (Sir William Heathcote) in his Amendments, and still the religious teaching is safe; but if a single Dissenter enters Convocation as a member, then it seems we are exposed to all these dangers which the acuteness of the right hon. Gentleman the Member for Oxfordshire detected, and the more copious eloquence of the right hon. and learned Gentleman who now represents the University (Mr. Gathorne Hardy) described in greater detail. This surely is utterly unreal. It cannot be for such a reason as this that you keep up this little bit of safe intolerance, which wounds and irritates without destroying your opponent; which provokes without defending. I hope I need not say that I disclaim personal offence, and that, being obliged to differ from many with whom I would fain agree, I wish to do so without loss of temper or good feeling. But truth must be told, and surely it is the truth that for years—I had almost said centuries—the prevailing temper of the Governors of Oxford has been steadily set against religious earnestness, from whatever quarter it may come. That allay of dullness which in Fuller's time, as he has told us, was found to sort well with the headship of a College, has naturally enough been constantly opposed to anything like originality, or life, or activity. You may read in Southey's *Life of Wesley*, or in any other authentic record of the University of those times, how he and his friends were obstructed in their efforts to revive religious life and rekindle devotional feeling. The rougher manners of those times displayed themselves in physical dirt and mud and stones, discharged at the heads of Wesley and his friends as they walked to church; and he was finally, as we know, driven from the University and from the Church of England. A century passed by, and a great man arose in the same University and experienced, allowing for difference of time and difference of manners, substantially the same treatment. There was a man in my time of admirable genius, of rare eloquence, of saintly life, of singular humility and self-denial, who taught us not any peculiar theological dogma, but simple religious truth ; whose example kept a lofty standard of practice always before our eyes ; who led us by his life and by his teaching to all things "lovely and of good report," to whom many, I am sure, in Church and State owe it, that their sense of responsibility was awakened, and that they are now, in their degree, doing, in some poor and imperfect way, their duty both to God and man. Newman, like Wesley, met with cold aversion and steady discouragement on the part of the authorities; he was pelted, not with stones and mud, but with protests of four Tutors, and changes of the time of college dinners, to prevent young men going to his sermons, and wretched censures by Hebdomadal Boards, at the hands of men whom it would be simple folly to compare with him in any way; and this was at a time when he had no intention of leaving the Church of England, when, indeed, he was as desirous of remaining in her communion as any one of those who thus treated him. Nor was there, as far as I can remember, anything given us in the regular University system to justify this discouragement of irregular excellence. I find no fault with the distinguished men who administered my own College (Balliol) and others with which I was acquainted at that time. They did as others did, and the effect of the indirect teaching of their high characters upon us I daresay was very good—at least it ought to have been. But I do say, that to speak of the Oxford system having been founded on religious influences, or guided by personal religious teaching in any sense which could be interfered with by the presence of Nonconformists in Convocation, is really to fly in the face of the plainest facts, and to take refuge in the merest theory and imaginative dreaming. We did not escape controversy—what young men of any sincerity and freedom of mind do escape it? And it is by no means an unmixed evil if it be one, at any rate it shows the existence of much care and activity of mind upon serious subjects. And to suppose, that by excluding Nonconformists you can banish controversy, or that by including them you will weaken religious teaching, I should call, but for my respect for those who maintain it, one of the idlest dreams that ever flitted across the brains of clever men. But as things are you may have Dissenters in positions from which, if from any positions, this very danger you are so afraid of may be apprehended. I have a letter here from a distinguished tutor of a distinguished college, parts of which I will take the liberty to read to the House in support of what I say, and as stating the facts much better than I could state them—

"1. Any Nonconformist may statutably be Public Examiner in any school whatever, even in those in which Divinity (and even the Articles) enter into the Examination. For the statutable qualification for an Examiner is that he shall be M.A., B.C.L., or B.M.; and a Nonconformist may be a B.C.L. Indeed, at the present moment a B.C.L., who has never signed the Articles, is Public Examiner in the School of Law and History. It is true that Divinity does not enter into that School, but there would be no statutable bar to his appointment to the School of Literæ Humaniores, in which Divinity does form part of the Examination. The real security for the appointment of Examiners is, that after being nominated by the Vice Chancellor and Proctors they must be approved by Convocation, and this would be unaltered by your Bill, except so far as Nonconformists might acquire any influence in that great body. 2. Any Nonconformists can at present teach any subject as a private tutor. I remember that Lord Cranbourne in a former debate expressed alarm lest moral philosophy should come to be taught by a Nonconformist ; but certainly a few years ago one of the most celebrated resident private tutors in that subject was a Nonconformist. 3. Persons who have never signed the Articles might be at present College lecturers on any subject whatever, if the authorities of the College chose to appoint them, and many College lecturers at present are only Bachelors of Arts ; though I do not know that any are at present actually professed Nonconformists, and perhaps the Act of Uniformity would prevent their being so. 4. The office of College tutor need not, to the best of my belief, be held by an M.A. The statute says that he shall be '*in aliquâ facultate graduatus,*' and goes on also to require that he shall be '*religione secundum doctrinam et ritum Ecclesiæ Anglicanæ sincerus,*' and vests the appointment in the head of the College, with appeal in case of dispute to the Vice Chancellor. So that whatever securities at present exist to make College tutors members of the Church of England seem to be unconnected with subscription to the Articles. Several Bachelors of Arts are at present College tutors if the *Oxford Calendar* may be trusted. 5. Some Professorships appear to be tenable without any necessity for the Professor to be a member of Convocation. Sir B. Brodie held the Aldrichian Professorship of Chymistry for some years as a B.A. before he proceeded to the degree of M.A., and he need not have gone on to M.A. at all if he had been content to remain without a vote in Convocation. I do not speak of any other ways in which Professors are bound, as, for instance, by the Act of Uniformity, as these would, I presume, be unaltered by your Bill. There is also a clause in the statute—'*Quod nullus professor vel prælector publicus quicquam directe vel indirecte doceat, vel dogmatice asserat, quod fidei catholicæ vel bonis moribus ullâ ex parte adversetur.*' This statute no doubt is rusty, and would be difficult to work, but such as it is, it would be unaffected by your Bill. I do not know how many Professors there are who need not at present be Masters of Arts. The chief practical security is no doubt afforded by the mode of election, which, except in case of the Regius chairs, is by Convocation or a board of some sort. In most of the boards theological influences are at least sufficiently represented."

It seems, therefore, that either these Nonconformists are there already, and do no harm, or that if they do come they will do great good. I have now only one word to say as to the shape which the Bill assumes. It was exactly the same as the Bill of last year—and for one plain reason, which I hope hon. Gentlemen will thoroughly appreciate; it aims at a simple definite issue, and is not intended to deal with any questions that might arise collaterally about schoolmasters, fellowships, or such matters. If there be any provision in the Bill which goes beyond the simple object which I intend, if my hon. Friend will point it out I shall be perfectly willing to have it altered. On the last occasion on which this question formed the subject of debate the right hon. Gentleman the Member for Calne (Mr. Lowe) found fault with the Bill for its smallness and shortcomings. I am ready to admit the Bill is a small one, and only deals with one definite point; nor do I expect if it were to pass that any great and important changes would take place in consequence. But, on the other hand, I should not be dealing candidly with the House if I disguised from it that the Bill put forward a very important principle. It will establish the nationality of the University as against the Church of England—it will destroy its exclusive character and change its constitution. I have been informed that it is not the intention of hon. Gentlemen opposite to go to a division on this stage of the Bill. I wish it were also true of other stages; because, though I have not the slightest doubt as to the result, I would far rather that the Bill should be successful without a struggle than after one; because I have no wish to win a victory over men whom I respect in a cause which is as much their cause as my own. I wish hon. Gentlemen would see how easily they may create those very evils which they fear, and which would have no existence but for their own obstinate resistance. I wish them to reflect before too late what a difference there is between a friendly settlement and a hostile victory, between a generous and manly yielding to a just and righteous claim, and a hardwrung, sullen and angry acquiescence in an extorted right. You must know that you cannot prevent this change; why, then, make it, against the will of those who support it, the occasion of a party triumph?

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Coleridge.*)

SIR WILLIAM HEATHCOTE said, that as far as he was concerned no opposition would be offered to the second reading of the Bill. Last Session he endeavoured, in Committee, to insert Amendments obviating the objections to which it was open, but the hon. and learned Gentleman offered a successful opposition to them. Amendments would again be brought forward at the same stage, and he believed it would be proposed to extend the operation of the Bill to Cambridge. Notice had also been given by the right hon. Member for Kilmarnock (Mr. E. P. Bouverie) of a measure bearing on another part of the same question, but he did not think it expedient at the present stage to trouble the House with any observations on the subject.

Motion *agreed to.*

Bill read a second time, and *committed* for *Wednesday,* 10th April.

WAYS AND MEANS.

Considered in Committee.

(In the Committee.)

Resolved, That, towards making good the Supply granted to Her Majesty for the Service of the years ending on the 31st day of March 1866 and the 31st day of March 1867, the sum of £369,118 *5s. 6d.* be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland.

Resolution to be reported *To-morrow.*

House adjourned at Three o'clock.

HOUSE OF LORDS,

Thursday, March 7, 1867.

MINUTES.]—PUBLIC BILLS—*Second Reading*—Trades Unions (31).

Committee — Hypothec Amendment (Scotland) (12); Marriages (Odessa)* (30).

Report—Public Schools (29); Hypothec Amendment (Scotland) (12 & 33); Marriages Odessa* (30).

DISTURBANCES IN IRELAND.

QUESTION.

EARL GRANVILLE asked the First Lord of the Treasury, Whether he had received any intelligence from Ireland?

THE EARL OF DERBY: Nothing as to the state of Ireland has been received, except what has been given in the papers. In the course of the day we received this telegram, dated 11.45 a.m.—

> "Railway line open to Cork; thirteen prisoners brought into Limerick from Kilmallock; some wounded; three shot dead. No event of any importance is reported as having occurred last night. Dublin, Cork, Limerick, and Waterford quiet."

On my way down to the House I called at the Home Office, and found that this telegram had been received, dated 3.45 p.m.—

> "Telegraph reports have come in from all parts of Ireland. No event of any importance took place last night. Fugitives heard of in many districts. Police and military in active pursuit. Numbers of abandoned arms have been taken. No considerable body of insurgents reported as any longer in existence."

I may add that no additional reinforcements of troops will be required in Ireland.

PUBLIC SCHOOLS BILL—(No. 29.)

(*The Earl of Derby.*)

REPORT.

Amendment *reported* (according to Order.)

LORD HOUGHTON expressed his regret that the noble Earl at the head of the Government had not taken advantage of the additional opportunity which had been given to him of introducing among the new Commissioners some gentleman eminent for his skill in natural science. He had upon a previous occasion brought this subject before their Lordships, and, although he had not succeeded in attaining his object, yet there was a very strong feeling expressed that it was highly important to have a man of science on the Commission, which would otherwise be deprived of a great deal of the moral influence which it ought to possess. He might remark that our Public Schools were deficient in that practical training which would make a youth not only a gentleman in every sense of the word, but would also enable him to take a fair start in the different professions and walks of actual life.

THE EARL OF DERBY said, the question as to the representation of the interests of science on the Commission had been already discussed in that House, and it had not, he thought, been received with very great favour. The Bill was afterwards referred to a Select Committee, when the question was again raised, and did not meet with the slightest encouragement, and the Bill passed in its present form. Since that time, however, two of the gentlemen who had been originally appointed on the Commission had desired that their names might be withdrawn from it, and he had inserted in their place the names of two eminent Members of the House of Commons, in accordance with what he understood to be the general wish of their Lordships.

Further Amendments made, and Bill to be read 3ª *To-morrow.*

HYPOTHEC AMENDMENT (SCOTLAND) BILL—(No. 12.)

(*The Lord Chancellor.*)

COMMITTEE.

House in Committee (according to Order.)

THE LORD CHANCELLOR said, that notice had been given of some Amendments, some of which were formal and others substantial; and he therefore proposed now that the House should go into Committee *pro formâ*, in order that these Amendments, to which he had assented, should be embodied in the measure, and the Bill be re-printed.

THE DUKE OF ARGYLL said, he did not consider that there was any reason for the grudging spirit in which some noble Lords had received this Bill; and for himself, he was sincerely grateful to the Government for having introduced the measure, which he thought was a wise one, effecting an important alteration in the existing laws. The Bill was a much more important one than many of their Lordships were aware. He might add that the question to which this Bill referred was one which did not exclusively apply to Scotland, but had its importance and influence in England as well. In England, as well as in Scotland, the landlord had a priority of claim in respect of his rent above all other creditors. The measure of preference in Scotland was different from that in England, and the machinery for giving it effect was different; but the principle was the same; for in both parts of the kingdom the landlord had the same preference over every other creditor. Now, recently the question had been raised in Scotland, whether it was wise and just that the landlord should have any preference; and the argument in the negative was maintained, on the one hand, on the ground of general principles, and on the other, on the ground of expediency. On the first ground, it was argued that there was no reason in the nature of things why landlords should have a preference, and especially now, when the industry of agriculture was becoming so much commercial, and when large sums of money were expended on manures and seeds. It had been contended that the claims of the manure merchant and seed merchant ought to run *pari passu* with those of the landlord, as regards the power given by law to assert their respective claims over the produce of the soil. Then again, with regard to the argument founded upon expediency, it had been maintained that the preference given to the landlord resulted in this—that the landlord was less careful and less anxious than he ought to be with respect to the character and the capital of the tenants to whom he let his lands; and it had been argued that it might be as expedient for the landlord himself that there should be no priority of claim given to the latter, but that he should be left to trust to his own inquiries as to the character and capital of those whom he was about to take as tenants. Now, although he (the Duke of Argyll) was open to conviction on this question, he must confess that he thought, in point of abstract principle, there did exist some reasons why the landlord should have a certain priority of claim upon the produce of the tenant's land over other creditors. In the first place, the rent was itself simply a specified part of the produce, and, in point of strict argument, that portion of the produce was not at any time the property of the tenant at all. Originally, almost all rents were paid in kind; and in some parts of Scotland, and also in certain districts of England, the rent was still stipulated for partly in kind, the conversion of it into corresponding money values being a mere matter of convenience. Now, supposing the rent to be stipulated to be paid in kind, and to be deliverable to the landlord, that stipulated amount of the produce would belong to the landlord as his property, and never, under any circumstances, would be the property of the tenants. But the more important argument on behalf of the total abolition of the law of hypothec and distraint seemed to be in the advantage which the abolition of the law would give to the larger class of tenantry both in England and Scotland. The agitation in favour of the abolition of this law was mainly got up and carried on by tenants of large capital. This class of tenants had not at all concealed their opinions on the subject before the Royal Commission, for they had stated distinctly that their desire and conviction was that the abolition of the law of hypothec would act severally against the smaller class of tenants. They said that the rent of land was at present unnaturally high on account of the great competition for land, owing to the number of small tenants seeking farms in the market. They said there were always a large number of persons ready to bid for land in the market, although they had no capital, and were not of the highest character; and they said that this right of priority of claim in the landlord induced him to accept the highest offer, without due inquiry into character and capital. He (the Duke of Argyll) was not quite sure the effect would be to the extent that was supposed; but if the change was to be made immediately and suddenly it would have a most disastrous effect on a large and deserving class of men in Scotland. The West of Scotland was farmed by small holders, with little more capital, in many instances, than was just sufficient to stock the land. They were the most important link between the labourers and the large capitalists who held the large farms, and they were generally men who might be described as working men, and their daughters and sons were also engaged in the work of the farm. He was therefore against the total abolition of the priority of claim on the part of the landlord, both on abstract principles and as regarded expediency. The law of hypothec was based on the old Roman law, and carried the power of the landlord to great excess in Scotland. It was an important amendment of the law that was now proposed, and he hoped it would receive the sanction of both Houses of Parliament. He asked the noble and learned Lord on the Woolsack to consider whether the priority of claim had better not be extended to three months after the first year's rent, and not three months after the half-year, as proposed in the Bill.

The Duke of MONTROSE said, the 4th clause, which limited the landlord's priority to three months after the rent was payable, would lead to the very state of things which the noble Duke deprecated—namely, the displacement of a large number of small tenants. He asked the noble and learned Lord who had charge of the Bill to consider whether it would not be better to fix the limitation to a period of three months after a year's rent had become due?

Lord ST. LEONARDS said, he had not intended to take any part in the debate on this Bill; but from what he had heard, he had no doubt that the Bill, if passed, would have a great effect on the rights of the landlords in other parts of the country. Even with the best tenants the rent was hardly ever paid exactly at the end of the half-year, and frequently they were two or three months or sometimes more in arrear. If therefore they took away the right of distress within three months after the half-year's rent became due, it would disturb the whole of the existing arrangements of the country. Hundreds and thousands of tenants would be in arms and declare that a new tenancy had been created; for the landlords would in consequence be necessarily driven to distrain at the end of every half-year. It is not the custom of English landlords to distrain—a distress is a rare occurrence; but the power is important, and enables the landlord to give more indulgence than he might otherwise think it prudent to do.

The LORD CHANCELLOR said, he thought those matters could be better considered in Committee, and he would defer what he had to say until then.

Bill *reported,* without Amendment; Amendments made; House to be again in Committee on *Thursday* next; and Bill to be printed as amended (No. 33.)

TRADES UNIONS BILL—(No. 31.)

(*The Earl of Belmore.*)

SECOND READING.

Order of the Day for the Second Reading read.

The Earl of BELMORE, in moving the second reading of this Bill, said, their Lordships would probably remember that in October last a trade outrage was committed in Sheffield, whereby it was attempted to blow up a house and its inmates, and although large rewards had been offered for the apprehension of the perpetrators, they had not been discovered. Mr. Roebuck and Mr. Hadfield, the representatives of the borough, in consequence of that outrage, waited upon the Home Secretary, and having pointed out to him that within the last twenty years there had been some 200 outrages committed, represented that special powers of inquiry would be needed to discover the instigators of these outrages. A deputation, also headed by Mr. Roebuck, waited upon Mr. Walpole to disclaim, on the part of the Sheffield operatives, all connection with these outrages, and to urge that special powers of inquiry should be granted. He could not do better than read the remarks made by Mr. Roebuck on that occasion. Mr. Roebuck, addressing Mr. Walpole, said—

> "They believe that a full inquiry will prove that trades unions have been and are of great benefit to the working classes, and through them to the country at large; that they are wholly innocent of any such foul proceedings as are laid to their charge; that their conduct has been wise and just to their employers as well as themselves; and that the more searching is the inquiry the more patent and obvious will appear the wisdom of those who have directed the proceedings of these unions, and the immense advantage to trade and the country at large from their existence. Such being their firm conviction, they earnestly pray you to accede to their request, and that you will move the House

of Commons to pass a law creating a Commission with ample powers to make all requisite inquiries into this most momentous subject, and that you will support such Motion with all the powers of this Government."

Having complied with the requests addressed to him, Mr. Walpole thought the opportunity a very favourable one for inquiring into the whole subject of trades unions, what good points there might be in their constitution and what bad ones, what defects existed in the law regarding such associations, and how those defects might best be remedied. The result was the appointment of a Royal Commission, and this Bill had been introduced to confer on the Commission the special powers necessary for effectually conducting that portion of their inquiries relating to the outrages at Sheffield. The preamble of the Bill recited the terms of the Commission, the scope of which was very wide. It was—

> "To inquire into and report on the Organization and Rules of Trades Unions and other Associations, whether of Workmen or Employers, and to inquire into and report on the Effect produced by such Trades Unions and Associations on the Workmen and Employers respectively, and on the Relations between Workmen and Employers, and on the Trade and Industry of the Country, with Power to investigate any recent Acts of Intimidation, Outrage, or Wrong alleged to have been promoted, encouraged, or connived at by such Trades Unions or other Associations, and also to suggest any Improvements to be made in the Law with respect to the Matters aforesaid, or with respect to the Relations between Workmen and their Employers for the mutual Benefit of both Parties."

A great outrage had recently been committed at Sheffield, which it was very desirable should be fully investigated. The 2nd clause of the Bill limited the inquiry of the Commission into any acts of intimidation, outrage, or wrong alleged to have been promoted, encouraged, or connived at by trades unions or other associations to the town of Sheffield and its neighbourhood; and to the last ten years, unless the Secretary of State should otherwise determine. The 4th clause gave power to the Commissioners to delegate all or any part of such an inquiry to one or more special examiners. But the most important clause was the fifth, which proposed to indemnify the witnesses against any proceeding for the evidence which they gave in the matter in question. The clause as originally drawn was objected to in the other House of Parliament, on the ground that without such indemnity the truth could not be arrived at, as it was alleged that the actual perpetrator was not really the most guilty person—that these outrages were planned by other persons behind the scenes; and therefore the Secretary of State agreed to the alteration of the clause to its present form. In conclusion, he could only say that he hoped that out of evil would come good, and that the result of the labours of this Commission would be that both employers and workmen would see that their true interests are not adverse but identical; that they would always remember that as they are fellow citizens of one country, and subjects of one sovereign, so are they members of one body politic, and always bear in mind this great truth, that whatever is injurious, or causes suffering to one member of a body, must, of necessity, cause suffering to all the others.

Moved, "That the Bill be now read 2^{a}."—(*The Earl of Belmore.*)

LORD CRANWORTH said, he did not rise to oppose the second reading of the Bill, which, nevertheless, he thought demanded the utmost consideration, inasmuch as it involved principles of the deepest importance and interest. This Bill related to two distinct matters—the one, an inquiry into the trades unions, with the view of ascertaining whether their general policy was hurtful or advantageous to the country at large. But the second object had little or no connection with that question—it was to facilitate an inquiry into the outrages which had taken place within the last ten years at Sheffield. No one could object to the issue of a Royal Commission to inquire into the first matter; but he much doubted the policy of issuing a Commission, even under the sanction of Parliament, to inquire into outrages of that sort, which ought, in his opinion, to be met by the strong arm of the law in the ordinary way. If such a measure were to be adopted, it ought to have safeguards beyond those which were proposed by the Bill, and not to be encumbered with propositions the most startling. He did not, in the first place, like the clause which empowered the Commissioners to commit persons guilty of contempt. A person guilty of contempt in the Superior Courts was liable to be imprisoned for an indefinite period of time, and it was most undesirable that any two persons should have a power to commit against which there could be no appeal. To this clause he had a strong objection. But the 5th clause was in his mind still more objectionable, inasmuch as it empowered the Commissioners, or such one or more of them as they may appoint to conduct an inquiry and to examine witnesses, to exercise the highest prerogative of the Crown—namely, that of pardoning for the committal of serious offences. That appeared to him to be trenching upon the ordinary policy of the law. But the clause even went beyond that, inasmuch as it authorized those two Commissioners who were appointed to carry out this inquiry to delegate to a third person the power of discharging those duties, armed with the same functions as they themselves possessed. He felt it his duty to call attention to these objectionable provisions, and he trusted before the Bill went into Committee some means would be taken to remedy what he considered to be a great blot in the measure.

Lord ST. LEONARDS said, there could be no doubt but that the object of the Bill was of the greatest importance, whether the remedy proposed for the evil in question was right or wrong. It was of the utmost importance that a thorough inquiry should be made into an outrage which had shocked the whole kingdom, and by which an industrious man with his wife and seven children narrowly escaped being killed whilst in their beds. The main object of the Bill was to ascertain who were the original planners of this outrage, who were the men who it was supposed had employed others to commit a crime which they had the wickedness to plan, but lacked the courage themselves to execute. The Government had done everything in their power to bring the guilty parties to justice; but all their efforts had proved ineffectual. Every man in the kingdom, whether he were a master or a member of a trades union, was he was happy to say anxious for any measure by which the Government would be enabled to get at the bottom of these outrages. The noble Earl (the Earl of Belmore) was correct when he said that it was believed that the instigators of this crime were men belonging to a higher class than the wretched creatures who had been the actual perpetrators of the outrage, who had been made use of as tools to wreak the vengeance of those who had influence over them upon the unfortunate man who had so narrowly escaped being killed. Under such circumstances, it would be most desirable to get to the bottom of the matter, so that the real offenders might be discovered and punished. The late Government had done all in their power by offering rewards and a pardon for the discovery of the instigators and the perpetrators of the crime, but their efforts had been without result. Did their Lordships propose to rest content with this want of success, and to let this crime remain unpunished now that this Bill had passed the House of Commons? Let their Lordships suppose the possibility of these outrages being instigated by persons of higher station than those who really committed them, and that the perpetrators were paid for what they did, then they could hardly doubt that if the perpetrators knew they were personally safe, and that they could also obtain a large pecuniary reward, they would volunteer to reveal all that it was desired to know. He quite agreed that the course proposed was an anomalous one; but it was only adopted in order to trace a crime when the ordinary law had failed to enable them to do so. This Bill rested precisely upon the same ground as did the Suspension of the Habeas Corpus in Ireland—an anomalous course was pursued in order to protect all alike from a common danger. The bulk of Irishmen submitted now to all the consequences involved in the Suspension of the Habeas Corpus Act, because they knew that common danger rendered that suspension necessary; and these outrages, in like manner, justified exceptional measures. The case was exceptional, and liberty was not injured, but preserved, by submitting to an exceptional course. They had already heard that the head of the Commission was Sir William Erle, and he must say that in all England they could not find a man upon whom greater reliance could be placed, and there could be no danger of the Commission under his guidance being led to do any unworthy act. It might be true that they wanted to get a man to tell that which would, under ordinary circumstances, bring him to the gallows, by granting him an indemnity, and that they would let off a criminal who ought to suffer the highest penalty of the law; but their object was neither to pardon nor punish that one man; it was to avoid future outrages, to save the lives of those who were exposed to them, and to put an end to the system which led to them. No one would oppose more than himself such a measure for ordinary cases; but there were powerful reasons to justify exceptional legislation in this matter. As to some of the points which had been referred to, perhaps the Bill might require amendment, but that matter could be considered in Committee.

LORD WHARNCLIFFE said, that living near Sheffield, and being chairman of quarter sessions there, he was constantly employed in trying cases of stealing wheel-bands, and outrages of a similar nature. Being, therefore, specially familiar with them, he desired to make a few observations. He gathered from the observations of the noble and learned Lord (Lord Cranworth), that he did not see any connection between trades unions and these outrages; but he (Lord Wharncliffe) thought that the combination of trades unions and trade outrages in the scope of the Commission's inquiry was fully justified on the ground that these outrages were committed only where the unions exercised great authority, as they did in Sheffield, and from what he knew of Sheffield he was perfectly convinced that these outrages were connected with the trades unions. In saying this, he did not assert that trades unions were bad, or that they were responsible for these outrages; but they occurred only where the unions exercised great influence. The noble and learned Lord seemed to think that there were means under the ordinary law of obtaining the required information; but one of the strongest arguments in favour of exceptional legislation was the fact that the offering a large reward had totally failed to secure the slightest information, and a Royal Commission seemed to be the only machinery by which the truth could be arrived at. When the recent outrage was committed he (Lord Wharncliffe) had a conference with the leading men in Sheffield as to the course it was most desirable to pursue; they were strongly in favour of a Commission, and he accompanied a deputation to Mr. Walpole, to whom they announced that the case was one requiring the adoption of special means to arrive at the truth. He must, therefore, congratulate the Government upon having brought in this Bill, though he thought that some of the clauses might be beneficially amended in Committee. For instance, it was provided, as he understood, that the inquiry should be limited to the five years previous to this year. Now, with regard to that clause, he had received strong representations from persons of high authority in the town of Sheffield, who stated that such a limitation would render the inquiry of very little use. An outrage of the kind referred to was committed nearly ten years ago at Sheffield, and a man was tried at York on a charge of having been concerned in it. Now, that case could not be investigated if the period were limited to five years, and he therefore hoped Her Majesty's Government would extend it to ten years. Then, again, in his opinion, the Commissioners who were sent to Sheffield ought to be numerous and influential, for if the best men were not sent, he was sure the investigation would not be operative or satisfactory. By the 5th clause he noticed it was made compulsory that any witness giving evidence shall receive an indemnity. He was of opinion, however, that the granting of that indemnity should be optional and not compulsory.

THE EARL OF DERBY interposed and said, he believed the clause in this Bill was the same as that in respect to the somewhat analagous case of Commissions to inquire into bribery at elections. The provision was that if, in the opinion of the Commissioners, any person had made a full and complete disclosure of all matters within his knowledge he was to receive a certificate indemnifying him against the consequences. Of course, if the Commissioners did not think the disclosure a full and complete one, the certificate would be withheld. The inquiry was limited to ten years and not to five as the noble Lord supposed.

LORD WHARNCLIFFE expressed himself satisfied with the explanation of the noble Earl, after which it would be unnecessary to make any further remarks on the subject. He had, as he resided in the neighbourhood and had a great deal to do with the public and judicial business of Sheffield, thought it his duty to offer these observations to the House.

LORD HOUGHTON desired to bring before their Lordships' attention one point. The trades unions thought that if the indemnity were given in the way proposed, any man, capable of committing this outrage, would also be capable of coming forward and giving false evidence about it, and that the character of the testimony given would therefore be worthless. He also hoped that it would not be assumed, as the noble Lord who had just sat down seemed to assume, that trades unions were in any way connected with these outrages. At the conference now being held by trades union delegates they most strongly protested against this assumption, and they said that if that assumption were proceeded upon it would have an influence upon the effect of the Commission. It was quite clear that such was the effect upon his noble Friend's mind; for he took this Bill to be an expression of that opinion, and to be framed for the purpose of connecting these outrages with trades unions. If this outrage were a perfectly independent act, and the trades unions had nothing to do with it any more than any of their Lordships had, surely it was unfair to appoint a Commission nominally and apparently to ascertain the connection between these associations and the outrages in question, whilst the effect of the inquiry in such a manner must seriously prejudice them in the opinion of the public. It would be for their Lordships to consider in Committee whether they should give an indemnity to persons who might come forward to give evidence against these organizations solely with a view of damaging them. He thought it might be well to consider whether, upon this point, they would be in danger of prejudicing the whole of the inquiry. They wished to approach this question without imputing to trades unions any connection with these outrages; but if they retained the clause in its present shape they would in some degree appear to implicate them.

EARL GRANVILLE felt that the discussion that had taken place very much confirmed him in his opinion that a great mistake had been committed in blending in this Commission two things which, as the noble and learned Lord (Lord Cranworth) said, were perfectly different objects, though that view was somewhat controverted by the noble Baron opposite (Lord Wharncliffe). For his part he agreed entirely with his noble Friend who had just sat down, that the construction given by the noble Baron mixed up the two questions together even more invidiously than before; for the noble Baron considered that the outrages which took place at Sheffield and in other parts of the country were so intimately blended with the trades unions that it would be impossible to separate the two subjects.

LORD WHARNCLIFFE: Not in any other part of the country; he only referred to Sheffield.

EARL GRANVILLE thought that the noble Lord would remember that he said that it was only in parts of the country where trades unions existed that these outrages occurred; but, of course, he must be content with the noble Lord's contradiction. In his opinion, this was a most unfortunate position which they had to deal with. After all, there was good cause for inquiring into the circumstances of trades unions, who had a practical grievance of which to complain, and certainly he was not influenced by any personal prejudice in their favour, because they had cost him a great deal of money in the course of his life. They, however, had a claim for inquiry into that state of the law, which prevented them having any redress against any of their own officers, who embezzled their funds. He thought that it would be unfair to connect in the inquiry the trades unions with the outrages. He thought much evidence was likely to be obtained by the Commissioners which would be of much use in enlightening both the masters and the men in respect of their dealings among themselves. But the outrages committed in Sheffield were a completely different subject; and he confessed he did not look forward to such important evidence in that branch of the inquiry. The noble Lord (Lord Wharncliffe) had told them that in one outrage case a professional gentleman had allowed himself to be committed to prison rather than give evidence in a Court of Law. Now, he should like to know how the Commissioners were expected to succeed when the ordinary Courts of Law had signally failed. And it was to be remembered that, even if they do not succeed, an indemnity was to be given to all witnesses. Considering the very creditable feeling that had been exhibited in the matter by the operatives of Sheffield, he regretted that two subjects so very dissimilar should have been confounded together in the Commission. He admitted that the subject was a difficult one; but he hoped the Government would give it some further consideration with the view of meeting the difficulties to which he had referred.

THE LORD CHANCELLOR, in reference to the objections urged against the mixing up of the two inquiries, begged to remind their Lordships that the question before them was not whether a Commission should issue. The Commission had already issued, and the question was, whether Parliament should give the Commissioners certain powers to enable them to discharge the duty intrusted to them under the Commission. The noble Earl (Earl Granville) had objected to the mixing of the two inquiries, observing that it was unjust to the trades unions to have their general organization and the Sheffield outrages inquired into by the same Commission. But was the noble Earl aware that the trades unions themselves had particularly solicited that there might be inquiry into the Sheffield outrages in order that they might be afforded an opportunity of showing they had had no connection with those outrages? The subjects would appear, perhaps, at first sight to be not connected with each other; but, after such a request from the trades unions, there could be no offence in combining them. With his noble and learned Friend (Lord Cranworth), he admitted it would be desirable to leave such offences as the Sheffield outrages to the ordinary course of law; but if, as appeared to be the case, there was no chance of getting at the facts by that means, would it not be well to elicit them by means of an inquiry by Commissioners? As to the objection that the Commissioners ought not to have the power of committing for contempt, he would ask his noble and learned Friend how were they to deal with witnesses refusing to answer questions if that power were not given to them? There would, perhaps, be some difficulty with regard to the clause which enabled the Commissioners to delegate their powers to other persons. With respect to the indemnity, that was usual in the case of Parliamentary inquiries; and in a case like this they could not hope to get at the truth unless they protected witnesses against any prosecution for offences in which they might admit they had been concerned. In reply to the objection that this was a sort of invitation to wicked persons to come forward and give evidence against trades unions, he must observe that it would be impossible to protect themselves in every way against wicked persons; but there was a clause in the Bill making witnesses, who told falsehoods to the Commissioners, liable to the penalties for perjury. He had only to add that the Government would be ready to give their best consideration to any suggestions which might be made in Committee.

EARL DE GREY AND RIPON observed, that though the trades unions had asked for an inquiry into the Sheffield outrages, they had not asked that it should be made a part of the general inquiry into their own organization. As to witnesses being indemnified in Parliamentary inquiries, it could scarcely be said that bribery, grave offence as it was, equalled in enormity murder or attempt to murder. He doubted whether any precedent could be adduced for giving an indemnity to persons who came forward to accuse themselves of crimes of such a grave description. He earnestly trusted that Her Majesty's Government would re-consider their determination, and would see fit to restore the Bill to the shape in which it had been originally introduced into the House of Commons.

LORD REDESDALE thought that strong reasons had been stated for combining the two inquiries. The trades unions had been induced to come forward and solicit investigation, because, throughout the country, their names were combined with these outrages. How was it possible for the unions to clear their character from suspicion except by showing, before the same tribunal which inquired into the outrages themselves, the true nature of the associations to whose door, rightly or wrongly, the crimes were laid?

THE EARL OF LICHFIELD said, nobody could entertain the slightest doubt of the necessity for inquiry, for it had been demanded both by employers and employed in the town of Sheffield. Great differences of opinion, however, might reasonably exist as to the limits within which such an inquiry ought to be confined. And, as far as his personal feelings were concerned, he should gladly see the Commission relieved from that portion of their duties which consisted of giving an indemnity to persons who came forward to declare themselves the perpetrators of serious crimes. Such a course was unprecedented, and was further objectionable, because persons implicated in the most outrageous offences might, by their testimony, while securing for themselves entire immunity, implicate others, despite the legal maxim that the testimony of an approver should always receive corroboration. The Bill had only been laid upon the table yesterday, and for the important alteration made in "another place" he had been wholly unprepared. He hoped the Government would not unduly press forward the further stages of the measure.

Motion *agreed to:* Bill read 2^a accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

EARL GRANVILLE said, the noble Earl who had last spoken was himself named as a member of the Commission, and suggested that the Government, before proceeding with the measure in Committee, should take means to ascertain whether other members of the Commission shared the objections expressed by the noble Earl.

THE EARL OF LICHFIELD said, that he had only put forward his own individual opinion.

THE EARL OF BELMORE said, their Lordships would not be asked to go into Committee upon the Bill before that day week.

House adjourned at half past Seven o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Thursday, March 7, 1867.

MINUTES.]—NEW WRIT ISSUED—*For* Salop (Northern Division), *v.* The Hon. Adelbert Wellington Brownlow Cust, now Earl Brownlow.

SELECT COMMITTEE — On Railway Debenture Holders, Sir Stafford Northcote *discharged*, Mr. Stephen Cave *added.*

SUPPLY—*considered in Committee*—ARMY ESTIMATES.

WAYS AND MEANS—*Resolution* [March 6] *reported.*

PUBLIC BILLS—*Resolutions in Committee*—Uniformity Act Amendment.

Ordered—Consolidated Fund (£369,118 5*s.* 6*d.*)*; Uniformity Act Amendment; Chester Courts.*

First Reading — Uniformity Act Amendment [68]; Consolidated Fund (£369,118 5*s.* 6*d.*)*; Chester Courts* [69].

Committee — Metropolitan Poor [9]; Shipping Local Dues* [5]; Criminal Lunatics* [41]; Dublin University Professorships* [59].

Report — Metropolitan Poor [9 & 66]; Shipping Local Dues* [5]; Criminal Lunatics* [41 & 67]; Dublin University Professorships* [59].

Considered as amended—British North America* [52].

ADMISSION OF ENGLISH SALT INTO FRANCE.—QUESTION.

MR. TOLLEMACHE said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any reason has been assigned by the French Government for the delay that has taken place in making arrangements for the admission of English manufactured Salt into France, which subject has been under negotiation during the last six years?

LORD STANLEY: I made inquiry, Sir, into this subject late in the autumn, and I then ascertained that the French Government had appointed a Commission to examine the question of the Salt Duties in that country. It was then expected that the work of that Commission would be ended very quickly; but it has since been intimated that the Report of the Commission, when issued, would have to be submitted to the Chamber of Commerce, Agriculture, and Industry before any steps could be taken upon it. I have written again on the subject within the last few days, but as yet have received no reply. When the Report is received, as I hope it will speedily be, it will be communicated to the parties interested.

STATUES OF THE PLANTAGENETS AT FONTEVRAULT.—QUESTION.

MR. OWEN STANLEY said, he would beg to ask the Secretary of State for Foreign Affairs, If any recent communications have taken place between the English and French Governments as to the removal of the Statues of the Plantagenet Kings Henry II. and Richard Cœur de Lion of England, Eleanor of Guienne and Isabel of Angoulême, from the Chapel of Fontevrault, Anjou, to this Country; and, if the Statues are properly taken care of in the Chapel of Fontevrault? In order to make his Question more intelligible, he would beg to read a paragraph which appeared in *The Times* of the 22nd ultimo, and which was as follows:—

"M. Beulé, of the Institute, has written to the *Débats* a letter on behalf of the Scientific and Artistical Society of Angers, to protest against the contemplated delivery to the English Government of the Statues of the Plantagenets in the chapel of the prison at Fontevrault. He relates that on the 8th instant an agent of the French Government arrived there to remove the four statues of Henry II. and Richard Cœur de Lion of England, Eleanor of Guienne, and Isabel of Angoulême. The Director of the establishment, however, affirming that the order presented was informal, refused to deliver up the relics. The writer states that the agitation throughout the ancient province is intense, and that the Prefect, the Bishop, the Mayors of towns, and several learned bodies, have forwarded petitions to the Emperor against the proposed removal; he also declares that the Statues belong not only to Anjou, but to the whole of France, and should not be given up to England without a Bill passed by the Legislative body. M. Beulé adds that applications from the English Government were refused by the Restoration in 1817, and again under Louis Philippe; that Sovereign, he says, removed the relics to Versailles, and placed them in the National Museum, in order to discourage any ideas on the part of England of obtaining them, and it was the President of the Republic who, in 1849, acceded to the earnestly expressed wishes of the people of Anjou, and had the four Sovereigns replaced in the chapel of Fontevrault."

LORD STANLEY: Sir, no official communication has passed between the French and English Governments on the subject of the hon. Member's Question; but the House will no doubt remember that last year a good deal of attention was called to the matter, and a very general wish was expressed among persons who interest themselves in matters of that kind that the statues should be removed to this country, with whose history they are intimately connected. I did not think it would be becoming on the part of the British Government to ask for the gift of those statues; but the matter came to the knowledge of the French Government, and the Emperor, with that courtesy which he has invariably shown where this country is concerned, wrote a letter to the Queen offering them as a gift. That offer was accepted and the statues will be removed accordingly. As to what has passed between the French Government and any local authority, I have no information. With regard to the latter part of the hon. Gentleman's Question, I have no official, and, indeed, I may say, no certain information; but a letter written by a private person who saw these statues in 1863 has been brought to my notice, and it states that at that time they were lying in a vault belonging to a building said to be used as a convict prison. Beyond that I know nothing on the subject.

SANITARY STATE OF HOLYHEAD.

QUESTION.

MR. OWEN STANLEY said, he would beg to ask the Secretary of State for the Home Department, If he will lay upon the table of the House, Copies of any Report made to the Medical Department of the Privy Council by Dr. Buchanan as to the sanitary state of Holyhead, and any Communication that may have been made by order of the President of the Council to the President of the Poor Law Board on the same subject?

MR. WALPOLE said, in reply, that he had no objection to lay the Report of Dr. Buchanan on the table; but as it would, in the ordinary course of things, appear among the Reports addressed to the Privy Council, the hon. Gentleman would probably not think it necessary to have it printed separately.

PHYSICAL PROPERTIES OF CHOLERINE.—QUESTION.

SIR JERVOISE JERVOISE said, he would beg to ask the Secretary of State for the Home Department, Whether the statement in the Weekly Report of the Registrar General, November 17th, 1866, that Dr. Frankland had investigated some of the physical properties of Cholera-stuff (Cholerine), is exactly true; and whether it is the intention of Her Majesty's Government to introduce any measure tending to obviate the loss, alarm, and injustice consequent on the theory of the infectious nature of certain diseases, when unsupported by demonstration?

MR. WALPOLE said, in reply, that whether the Report in question was scientifically true he could not say; but the Registrar General had informed him that it was a very valuable one, that it had been drawn up by an eminent chemist, and that he considered the publication of it would tend to put the public on their guard, with a view to exercising greater care to destroy what was supposed to increase the number of cholera cases. He was not aware that it was the intention of the Government to introduce any measure on the subject.

SIR JERVOISE JERVOISE said, he would also beg to ask the Vice President of the Committee of Council on Education, Whether his attention has been called to the Report of the Medical Officer of the Privy Council (1866), in which he states, pp. 39, 40, the mode in which Cholera-contagium is generated; whether the discoverer has divulged his method of obtaining this deadly agent; and, if not, why not; and, whether the Annual Report of the Medical Officer, which was not accessible to Members till towards the end of July in the last, will be so at an early period of this, Session?

MR. CORRY said, in reply, that the opinions expressed in the paragraph referred to by the hon. Gentleman were not the result of any single discovery, but of scientific investigations carried on by many medical men of eminence, almost ever since the first introduction of the cholera into Europe. The Report of the medical officer of the Privy Council was not likely to be ready earlier than last year, as a great deal of extra work had been thrown on the department in the preparation of appendices relating to the outbreak of cholera.

IRELAND—COURT OF ADMIRALTY.

QUESTION.

Mr. BLAKE said, he rose to ask Mr. Attorney General for Ireland, Whether it is the intention of the Government to introduce a measure during the present Session to amend the law relative to the Court of Admiralty in Ireland?

The ATTORNEY GENERAL for IRELAND (Mr. Morris) replied that the matter was at present under the consideration of the Irish Government.

EASTERN POLICY OF RUSSIA.

QUESTION.

Mr. LAYARD said, he would beg to ask the Secretary of State for Foreign Affairs, Whether certain Despatches respecting the policy of Russia in the East, dated the 20th August, 12th September, 27th October, and 23rd November, 1866, and any other Despatches relating to the same subject, addressed by the Russian Government to the Russian Ambassador in London, have been communicated to Her Majesty's Government; and, if so, whether he will lay them upon the table of the House, together with any Correspondence which may have taken place between Her Majesty's Government and that of Russia with regard to them? He wished also to ask the noble Lord whether he is aware that a Despatch has been communicated by the Russian Consul at Belgrade to the Servian Government in the following terms:—

> "Russia is in nowise disposed to adjourn indefinitely the solution of the Eastern question. She will no longer entertain any idea of a reconciliation between the Turks and Christians. Let the latter obtain their deliverance by arms if they can. Russia will confine herself to watching that the foreign Powers do not intervene in this war between the Porte and its subjects, and should they interfere she would be forced to undertake the active defence of the Christians. Russia desires Turkey in Europe to be replaced by three Federative States — namely, Servia, Roumania, and Greece, with a central Government at Constantinople."

He would also ask the noble Lord whether, if he has received a Copy of any such Despatch, he will lay it on the table?

Lord STANLEY: With respect, Sir, to the last Question of the hon. Gentleman, I can assure him that I have seen no despatch of the Russian Government that at all corresponds with what he has read, and it is not of a nature that if I had seen I should be likely to forget it. As to the first Question, I may say that none of those despatches have been communicated to me in an official manner, though two of them were placed in my hands confidentially, remaining in my possession only for a short time. Under these circumstances, I cannot undertake to lay them upon the table; and I would add that, in the present state of the whole question to which the inquiry of the hon. Gentleman refers, I do not think it would be for the public service that the Correspondence should be produced.

DISTURBANCES IN IRELAND.

QUESTION.

Mr. CHICHESTER FORTESCUE said, that perhaps the Secretary of State for the Home Department would state to the House, What information he had received relative to the Fenian outbreak in Ireland?

Mr. WALPOLE: Despatches have been received, Sir, giving a more detailed account of the movement which was announced yesterday by my noble Friend the Chief Secretary for Ireland in the telegram which he then read. I do not, however, know that any particular information is given in them beyond what has appeared in the leading journal of to-day. I may, however, make this remark, that in some of the public journals I regret to find that the facts are rather more highly coloured than is justifiable. The only account which I have received this morning is a telegram, which reads as follows:—

> "11·45 a.m.—Railway line open to Cork. Thirteen prisoners brought into Limerick from Kilmallock. Some wounded; three shot dead. No event of any importance is reported as having occurred last night. Dublin, Cork, Limerick, and Waterford quiet."

SUPPLY—ARMY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

139,163 Land Forces (including 9,778 all ranks, to be employed with the Depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions).

General PEEL (Secretary of State for War): Sir, as it is a matter of public convenience that the number of men required for the army should be voted as early as posssible, I shall, before sitting down, and after explaining the causes of the difference between the Estimates of the present and the coming year, conclude by moving the Vote for the Number of Men required. Although the Estimates which are now under consideration exceed those of the present year by no less a sum than £412,200—although they exceed the actual expenditure of 1865-6 by £637,467—although my favourite Estimate of £100 per man falls far short of what is required to cover the expenditure of the next year, for that £100 must be raised to £106—still I trust that, if the House will grant me its attention, I shall be able to show that the paragraph in the Speech from the Throne, which stated that the Estimates were "framed with due attention to economy and the requirements of the public service," was perfectly accurate, and that the excess to which I have alluded has arisen from circumstances over which we have had no control. I was most anxious, naturally, to reduce the Estimates of the forthcoming year as much as possible, in order to meet the extra expenditure which the House will be called upon to sanction in the Supplementary Vote for carrying out the purposes for which the Royal Commission on Recruiting was appointed, including an army of reserve. I will venture to say that no person in my position was ever called upon in time of peace, without any intention of increasing the number of men, to frame the Army Estimates under such disadvantageous circumstances. Those circumstances arose, in the first place, from the necessity of providing for Leap year. That is a perfectly unavoidable circumstance, and that alone gives an increase to the Estimates of £24,700. I then found that my predecessor had granted a warrant, which had been approved by the Treasury, to increase the pay of the medical officers of the army. I highly approve that warrant; but still it adds to the Estimates the sum of £18,000. I also found that the late Government had come to an arrangement to take over the Straits Settlements. Now, this is a new feature altogether in the Estimates, and the whole military expenditure falls, for the first time, upon the Army Estimates of the present year, instead of, as formerly, upon the Indian Government. This entails the necessity of providing garrisons of nearly 1,200 men, consisting of two batteries of artillery, a wing of a European regiment, and eight companies of Ceylon Rifles. It is perfectly true that the Straits Settlements pays a sum of £60,000, but that goes to the Treasury, and this item appears, for the first time, in these Estimates. There is also another alteration made with regard to the troops in Ceylon and Australia. Formerly it was customary to introduce into the Estimates only the absolute pay of the troops in Ceylon—that colony paid the commissariat and barrack expenses; but, in consequence of the new arrangements, made before I came into office, by the payment of a capitation rate which goes direct into the Treasury, all the commissariat and barrack expenses in Ceylon and allowances in Australia are transferred to the Army Estimates, and appear for the first time in those for the forthcoming year. The total cost of the new arrangements with regard to the Straits Settlements, Ceylon, and Australia, is £128,000, to be added to the Estimates we have to provide for. Then comes an increase—at which no hon. Gentleman will feel surprised—the increase owing to the increased price of provisions and forage. That alone adds £92,700 to the sum to be provided for next year. Next comes an item, which I view with great alarm, not so much on account of its magnitude as on its bearing upon the whole Estimates. I allude to the additional sum required for the recruiting of the army during the next year. There will be, during next year, no fewer than 21,300 men entitled to their discharge at the expiration of their ten years' service. This, in addition to the common average requirements of the year, arising from deaths, desertion, and sickness, renders it necessary to provide for 32,600 recruits during the next financial year, against 18,100 during the present year. A great many of the men who are entitled to their discharge will, I hope, re-enlist; but whether they do so or not, the expense is the same, as they are as much entitled to their bounty and their free kit on re-enlistment as if they were entering the army for the first time. There will, therefore, under that head be an additional charge of £69,000. There is next another charge for which I shall have to provide—an item of £79,100 for clothing, on account of biennial and quadrennial charges which fall due within this unfortunate year. This is to provide for certain extra issues of clothing which do not actually take place until the 1st of April, 1868, as they are not due until 1868-9. Their proper place would therefore seem to be in the Estimates for 1868-9, and I think that in future a much better arrangement might be made, and that the expense of these biennial issues, instead of falling upon one year, ought to be divided between two years. Then there is an additional charge of £20,000, on account of furlough pay of officers on leave from India. This is one of those items supposed to be covered by the capitation rate, in accordance with the agreement entered into with the Indian Government. That arrangement, the principle of which I could never understand, was made in 1860. The first year the furlough pay appeared in the Estimates it was fixed at £30,000. It has since risen up to £130,000, and I am obliged this year to take £150,000. For the first three years the Indian Government were, I believe, great losers by the capitation rate; but the state of things has changed, and we may, in framing the present Estimates, I think, calculate on having the loss fall upon us to the extent of £100,000. It has, unfortunately, been decided that any re-adjustment of the matter should be based on the average of five years, so that if that re-adjustment were to take place now we should gain nothing by it. There is another increase in the Estimates for the present year arising out of the increased demand for guns on the part of the navy. The sum provided for that purpose amounts to £675,000, while the sum provided in the Navy Estimates for the army expenditure is only £405,000; so that the army is, under these circumstances, a loser to the extent of £270,000.

I think I have stated sufficient to show the causes of the increase, and I think I am justified in saying that when the accounts come to be made up it will be found that the Estimates for next year form no excess on the expenditure for the present year. I come to that conclusion because we have now, for the first time, the opportunity of comparing the Estimates for the coming year with the actual expenditure of the past. I have always said it was a most fallacious thing to compare Estimates with Estimates; but this year we have the opportunity of comparing next year's Estimates with the absolute expenditure of 1865-6, as well as with the Estimates for 1866-7. Taking the first seven Votes it will be seen that their amount depends entirely on the number of men. The number of men for next year is exactly the same as for this, yet the sum I am obliged to ask for on account of those seven Votes is £402,800 more. The question then arises, which Estimate is right? I would ask you to decide that question by comparing, with the actual expenditure for 1865-6, under the head of those Votes, that of which I estimate the expenditure for the ensuing year. In 1865-6 the total number of men provided for in the Estimates was 143,773; although the number voted was only 142,477. You will perceive that some of the staff, although provided for, were not included in the numbers voted, which I contend they ought to be, and are for next year, as they are subject to the provisions of the Mutiny Act. Well, for the 143,773 men provided for in 1865-6, the estimated cost was £8,141,702, or at the rate of £56 12*s.* 0*d.* per man. The absolute number, however, borne during the year fell short of the number provided for by nearly 2,000, and yet the expenditure for the decreased number amounted to £8,440,471, or £300,000 more than had been estimated for the greater number, the cost per man being £59 9*s.* instead of £56 12*s.* In the Estimates for the present year the number of men is 139,300, at a cost of £7,864,500, which is at the rate of £56 9*s.* per man. [Colonel SYKES: Including the first seven Votes?] Yes, including the first seven Votes. So far, I may add, from there being any reason to suppose that we shall have a less number of men during the present year than was estimated, for we find, that at the end of the first nine months, we were absolutely in excess of our establishment to an average extent of 477 men, instead of being 2,000 below it; and if a supplementary Estimate should ever be called for, I must decline to be responsible for it. During the first three months, before the reliefs went out to India, there was an average excess of no less than 2,500; but that has been gradually decreasing, and at the end of the year the numbers will probably correspond. The number of men we ask for for the year 1867-8 is 139,163, and the amount required for that number is £8,267,300, being an average of £59 8*s.* per man, which almost exactly corresponds with the actual expenditure of 1865-6.

I think I have now said sufficient to account for the apparent excess of the Estimates of next year over those of this, and the Committee will have the means of judging which of them are the more likely to be correct.

When once you have settled the number of men, the only other two Votes which it will be necessary to examine for the purpose of comparison are the 12th and 13th, the Votes for Manufacture and Stores. If you look to the absolute expenditure under those heads for 1865-6, as given in the papers now before you, you will find that the whole difference between the Estimates of that year and the actual expenditure is shown on these two Votes. Of the excess in the proposed expenditure for next year, £611,793 will be a charge for the supply of guns to that greater extent, and it is to this Vote, and the Vote for the Volunteers, that the whole of the excess in these Estimates is to be attributed. The Estimates for 1865-6 amounted to £14,348,447, and there was an excess over that to the extent of £358,765, making in all £14,707,212, or very nearly the amount of the Estimates for next year, had it not been for the two Votes I have pointed out. You can, on referring to page 2 of the papers in the hands of the Committee, learn at once the causes of the decrease and increase of the number of men. If I can show that the number of men asked for is no more than the service requires I think it will not be necessary to defend the first seven Votes. The first cause of increase is the necessity of adding twenty men each to the depôts of the Indian regiments. The Indian depôts constitute one of those sources of expenditure which are supposed to be covered by the capitation grant. It was originally proposed that the depôts should consist of only 100 men per regiment, but that number has not been found sufficient to supply the requirements of a regiment 900 strong in India. The Indian Government object to men whose term of service is nearly expired being sent out, as they would have to pay their expenses back, and the consequence is that sometimes 50 men out of the 100 are only waiting for their discharge, and many recruits are sent out too young. When the capitation rate is considered hereafter, the charges for this addition to the depôts will fall on the Indian Government, and therefore the change may almost be considered a reduction in the army. Another increase is due to the circumstance that we propose to employ a regiment of Native troops to do duty at Hong Kong instead of British soldiers. There are 656 men about to be raised for that purpose, who will, in point of fact, form to that extent a substitute for English troops. I may also observe that 100 men for the Military Staff Corps are, in reality, no increase, because they are only substitutes for labourers. They are men of good character allowed to leave their regiments, receiving an addition to their pay. I believe the plan answers extremely well, and it is proposed slightly to extend it. Thus there is an increase to the army of 1,724 men; which I propose to meet by making a reduction in the establishments of regiments. I know that many military men object to this arrangement, and would much rather see the regiments kept up to their full number, and if I did not meet the inconvenience of having the establishment of regiments at a low amount by the army of reserve which I am about to propose, I should be as much opposed to the reduction as they are. This intention is to reduce the regiments on their return to this country to 600 men for the first and second years, increasing the number to 680 in the year after, and up to the full number when they go on Colonial or Indian service. I have been obliged to raise the establishments of the Indian regiments to their full strength, because the Indian Government complained that the regiments going to India were not kept up to their full quota of 910 men. It had been hoped and believed that when they got out to India men would volunteer from other regiments out there; but this has not been found to be the case, and therefore it is necessary to raise the establishment of the regiments going to India to 910 men, and thus the number of men to be provided for is almost equal to what it has been in the present year.

I now come to Votes 12 and 13, relating to Manufactures and Military Stores. Perhaps the House will like to know what is the number of guns proposed to be provided for the money to be voted on account of the Royal Gun Factory. It is proposed during the next year to provide 426 rifled guns. Of these, 12 are to be of the largest size, or 23-ton guns; 41 are to be 12-ton guns; 31 will be 9-ton guns; 12 will be 7-ton guns; and 179 are to be 6½-ton guns. The rest will be composed of 64-pounders, 9-pounders, 7-pounders, and 6-pounders. The present occasion is almost the first in which provision has been made for supplying guns for the fortifications. It was agreed in 1860 that the armaments for the fortifications were to be provided for in the annual Estimate; but up to the present year no provision whatever has been made for the purpose, and most fortunate it is that such was the case. If these guns had been made in 1860 the pattern would have been very inferior and the cost would have been treble. Three years ago the cost of the 23-ton gun was £3,500, and it had gradually come down to £1,800 in the present year. Therefore, delaying the manufacture of these guns had caused a great saving of public money. But still, you cannot conceal from yourselves the fact that the work must be done, and if the present Estimates had not been so unnaturally high this year I should have taken a larger Vote for the purpose.

I now come to a matter of great interest to the House—the question of small arms. I know that there have been a great many Reports, and that much anxiety has been felt as to the success of the Snider conversion, and I think it better to begin from the very first with regard to the conversion of the rifles into breech-loaders. So long back as 1864 it was decided by a Committee that the whole British army should be armed with breech-loaders. Soon after that another Committee decided that, instead of the common Enfield rifle, our muskets should be rifled on the Lancaster principle. The consequence was that there was not a single new rifle manufactured for the last three years. It was then decided that, instead of making new rifles, the Enfield rifle should be converted into a breech-loader. Experiments had been going on for two years, and just before I came into office the pattern and ammunition were decided on. The great events on the Continent occurred between that time and my coming into office. I resolved to carry out what had been decided on, and to arm the whole British army with breech-loaders as soon as possible; and I also decided not to re-open the question, but to go on at once converting the guns into Sniders, and I provided for the conversion of 200,000 in the course of the present year. When I proposed a supplementary Estimate the late Chancellor of the Exchequer expressed an opinion that I was too precipitate; but the fact was that when I came into office the entire number of rifles that had been absolutely converted was only twelve, and they had not been converted by machinery, but by hand. Now, there is a great deal of difference between experiments carried on by hand labour under the most favourable circumstances, and those carried on by machinery on an extensive scale. My intention was, as soon as a sufficient number of the converted guns could be procured, to subject them to the only real test—and that was to place them in the hands of the troops. But, unfortunately, just at that time there came from the Governor General of Canada a demand for an instant supply of breech-loading arms. He pointed out the moral effect upon the men coming into contact with troops armed with breech-loaders, and called upon us to supply not only the whole of the British troops in Canada, but the whole of the Volunteers. This was a perfect impossibility at the time, as we did not commence delivering the converted rifles till the middle of October. But so determined was I to prevent the British troops from being brought into collision with troops armed with breech-loaders, while they had only muzzle-loaders, that I sent an order to America, and purchased 4,000 at £6 each. We went on working at the gun factory day and night—and, I am sorry to say, sometimes on Sundays—but we succeeded in sending out converted Sniders to every British soldier in Canada before the navigation closed. Then there came sudden demands for arms from the garrison at Dublin. In the meantime I sent sixty guns to Hythe for trial, and the first report was that the shooting was more than favourable. Shortly afterwards the head of the Laboratory came to me and said he was sorry to inform me that when the ammunition was made up in millions there was a slight escape of gas, which threw up the breech-loading apparatus. We therefore proceeded to try a new or No. 2 cartridge, which was sent down to Hythe and fired with exactly the same rifles which had shot so well in the first instance. The report that came to us was that the cartridges would hardly hit anything, and scarcely ever hit the target at all. If the fault had been in the gun I would have stopped at once the conversion of the Enfield rifle, for my desire was to place the best arm in the hands of the British soldier; but, apparently, this defect was in the cartridge, and I proceeded at once to discover the cause. The Committee must understand that there are two descriptions of rifle—the short and the long rifle. The short rifle is six-grooved, while the long rifle is the common Enfield, with only three-grooves. With the six-grooved rifle the No. 2 cartridges shot beautifully;

which made it appear that the previous failure had been the fault of the three-groove arm. But it was ultimately discovered that it was in consequence of the ball being a little longer than it had been before, and that by reducing its length it would shoot extremely well. We come back now to the question of the breech-loading rifle. I do not say you will ever attain any great superiority in accuracy of shooting with any breech-loading rifle over the muzzle-loader; the advantage you gain is not in accuracy, but in rapidity of firing. I am happy to say, from the last accounts I have received, that I have not the slightest doubt that in the Enfield rifle converted into the Snider you have as good, if not a better, weapon than any other country possesses. No later than yesterday I received a letter from my noble Friend, Lord Strathnairn, than whom nobody is a better judge, in which he says—

> "I had a field day yesterday—all the troops with Sniders. The rapidity and uninterruptedness of the fire were remarkable—not a check. I had to caution them to fire slowly, to prevent running short of cartridges."

This will, I think, prove to the Committee that we are going in the right direction in converting the Enfield into the Snider breech-loaders for the whole British Army. I do not mean to say there may not be an improvement in the cartridge. There is now provision made in the Estimates for the present and next year for the conversion of 350,000 rifles, and there I would recommend conversion to stop. I should not recommend the conversion of any greater number, for this reason:—These are all new arms, which have never been issued, and are perfectly serviceable weapons. If you convert more they will be arms that have been used, and you will have to pay an additional price to make them serviceable. I think it would be far better to wear out the arms now in the hands of all other than the regular forces, and use up the common Enfield rifles. You will have to begin making a new weapon as soon as you have decided on the pattern. You have not made any new rifles for the last three years, and you will have to begin gradually as soon as you have decided on the pattern. If not, the only store of small arms you would have would be those returned in exchange for converted Enfields. Therefore, you must make up your minds to provide a store of new weapons as soon as you decide on the pattern. These are the causes which have occasioned the large sums asked for under these two heads.

I do not know that there is any other Vote on which I need make any explanation, except the great increase in the Vote for Miscellaneous Services. That arises from the increased attention required by the late Act of Parliament to be given in certain naval and military stations for the prevention of contagious diseases. There is also a sum of £13,000 required for equipping a ship for hospital and sanitary purposes at Hong Kong, which, according to the Report of the Chief Medical Officer, was absolutely necessary, although not solely for hospital purposes. Then there is another Vote of £5,000 to the municipality of Gibraltar in aid of works for drainage; and being as it is for sanitary purposes, I am sure the Committee will give it willingly. There is also a large increase in the amount to be given as rewards to inventors; and I will take this opportunity to relieve the minds of hon. Gentlemen, by saying that it merely provides some reward for those from whom the service has derived very great advantage, and is not for inventors generally. One of those gentlemen is Major Palliser, and the other Mr. Frazer, both of whom have been the means of effecting a very great saving to the Government in the cost of guns and shot. I am certain the House will not refuse to reward those services.

I promised that when I brought forward these Estimates I would give an explanation of what I proposed to do with regard to the Report of the Royal Commission on Recruiting. That Commission was mentioned in the speech of the noble Lord opposite (the Marquess of Hartington), when he introduced the Estimates on the 5th of March in last year. The necessity for the appointment of a Commission arose from the great difficulty which was experienced in procuring recruits for the army, and, in point of fact, the question then was, and now is, whether the British army should be allowed to collapse—whether it should be reduced to the strength of your recruiting powers, or whether your recruiting powers should be raised to that point which should meet the wants of the Service? Are we to endeavour to raise the recruits we want, or are we to be obliged, not as a matter of policy, but from necessity, to have recourse to that expedient which was proposed by the hon. and gallant Member opposite (Major Anson) of employing Native instead of British troops abroad? The points submitted to the Commission were the deficiency of troops during the last two years, and the remedies required to obviate that deficiency; and they were also required to Report on the formation of a reserve force, and with regard to the organization of the recruiting service. I will advert very shortly to the recommendations made by the Royal Commissioners. Their first recommendation was with regard to the organization of the recruiting service. They pointed out that the recruiting system was entirely under the Adjutant General, who has so much to do that he cannot give adequate attention to the subject, and they recommended the appointment of an Inspector of Recruiting, who would be able to give his undivided attention to it, and I have carried out their wishes by approving of the appointment of an officer to have entire charge of that service. I do not think it necessary to go into details which will not be settled until that officer, who has been selected with great care and attention, should be able to point out what arrangements would be necessary to improve the recruiting for the army. I am sure it must be some gratification to those who served on the Commission to know that I believe the very fact of the Commission being appointed has had a most salutary effect. I think in October last it first became known that the Commission had made proposals for improving the condition of the British soldier, and from that moment the recruiting improved. The average number of recruits raised during the last five years ending December, 1865, was 12,449. During the twelve months ending December, 1866, we have raised 15,277; in the preceding ten months ending in January we raised 13,193, and if we go on at the same rate for the next two months, we shall have raised 16,119 during the twelve months, instead of 12,449. This is very satisfactory. The quarter ending last December is the first since June, 1862, in which the casualties did not exceed the addition to the army by recruiting. The net increase over the casualties was 388. In the month of January, 1867, we have also progressed, the net increase having been 546. Therefore, we have great reason to hope that an increased number of men are coming forward. The Commissioners made another recommendation, which I strongly and highly approve, and which ought to be carried out as far as possible—it is the recommendation that men should be enlisted for general service instead of for particular regiments—always, of course, giving recruits the selection of regiments for which they may have a preference. The soldier enlisted for general service is a far more useful man than one enlisted for a particular regiment; and this would enable you to prevent men being sent too young to India. Depôts will be formed to receive them; and from them you can select those of a certain age for foreign service, permitting the younger recruits to join those regiments that have just come home. That is one of the recommendations to which I attach very great importance. There are recommendations respecting the system of medical examination which are under consideration, and will, I have no doubt, be carried out. There is a recommendation as to a military training establishment for boys, similar to the training ships for the navy; which, I have no doubt, is very desirable; but I am sorry to say it was a question of money. Besides the expense of buildings and establishments, the average cost for each boy would be £30 a year, which would amount to a large sum. I do not therefore propose to adopt that recommendation. Then comes the recommendation about localizing the regiments. But a connection cannot be forced between a regiment and any particular locality—that must spring up of itself. I may mention as an instance of this that, although the Bedfordshire regiment and the Bedfordshire militia, which is so ably commanded by my hon. Friend behind me (Colonel Gilpin), were at Aldershot for some time together, only one man volunteered from the militia into that regiment during the Crimean war, although a number equal to the whole strength of the regiment volunteered into other regiments. Therefore, I repeat that a connection of that kind must be spontaneous, and cannot be forced. Now I come to the chief recommendations of the Commission, and the expenses which they will entail. The recommendation to increase the reward on enlistment will cost £7,000, and is to be carried out. The Commission recommend that certain articles of clothing which are at present supplied by the soldiers at their own expense, and termed "necessaries," should be provided from the public funds. It was my duty to call for an estimate of the expense that would be entailed by each recommendation, and I found that the expense of this one would amount to £80,000 a year. Another recommendation was that the soldiers at home should receive an additional quarter of a pound of meat a day; but I cannot help thinking that if that addition be made to the allowance of the soldier at home, it must also be extended to the soldier on foreign service. I did not see how I could come down to this House and propose the increase to the soldiers at home without also proposing that it should be extended to the soldiers who are actually performing military duty abroad. It is perfectly true that the soldier abroad is at present allowed 1 lb. of meat per day, but the allowance is made on the ground that 1 lb. of meat abroad is only equal to three quarters of a pound at home; and if you give the soldier at home 1 lb. a day you must give the soldier abroad 1¼ lb. a day. With reference to this point, Sir William Power, the Commissary General, who is an excellent authority, expressed his belief that any increase in the meat ration would be the least effectual and at the same time the most costly mode of improving the soldier's condition, and would by no means be as acceptable as an increase of 1*d.* or 2*d.* a day. I decided, therefore, instead of these allowances of meat and clothing, to propose an addition of 2*d.* a day to the pay of the soldier. I am perfectly certain that such an increase will be a greater boon to the soldier than the allowances of meat and clothing would be, especially to the married soldiers, and to those, and I am glad to be able to state that there are many such, who are desirous of laying by a part of their money in the regimental savings banks. Another consideration is that such a course will meet a difficulty which could not have come before the Royal Commissioners, and, indeed, would hardly have been noticed by them. The British soldiers serving with Indian troops, as in China, formerly received an additional 2*d.* a day. When, however, the Native soldiers were withdrawn and this extra payment was considered, it was determined not to withdraw it from the troops already in China, who, having been in the habit of receiving it, might consider the withdrawal a great hardship, but to make no increase in the pay of regiments who might be afterwards sent to that country; and consequently a difference exists in the pay of soldiers engaged on the same service, which will be got rid of by the adoption of this plan, and giving all the troops an extra 2*d.* a day. I am perfectly certain every military man will be of opinion that, both as regards the interest of the soldier and the interest of the public, this increase of 2*d.* a day is preferable to the allowance of meat and clothing, the cost of which would be £80,000 for clothing, £200,000 for ¼ lb. of meat to troops at home, and £115,000 to troops abroad, making £395,000. This additional sum of 2*d.* a day will involve an additional expenditure of £376,000. Now, the Commissioners recommend that 2*d.* a day should be given to those who re-engage over and above the then amount of his pay; but I think that an increase of 1*d.* a day in that direction will be sufficient; that is to say, the long-service man will receive an addition of 3*d.* a day to his present pay. But, after all, the best inducement that can be held out to him to re-enlist is good treatment during the first period of his service, and an additional 2*d.* a day during this first enlistment, with an increase of 1*d.* a day afterwards, will, I think, be sufficient to induce him to re-enlist. The Commission again recommend, with regard to the limited period of enlistment, that there should not, as heretofore, be any difference between the cavalry, artillery, and the line, but that all shall be placed upon the same footing, the first term of service being for twelve years, and the second (if a man chooses to re-engage) for nine years, making altogether twenty-one years, which entitles a man to a pension. The proposition is a wise one, but it will require an Act of Parliament. Then it is recommended that the price of discharges by purchase should be higher than it is now, on account of the increase in the rate of wages. That recommendation certainly does appear as if it intended to point out to the soldier that he had made a bad bargain in enlisting at all; but I shall deal with that point more particularly when I come to the army of reserve. Many people attach more importance to the rate of pensions of the soldier than to the rate of pay. The question with me, however, was how can I lay out the money at my disposal to the best advantage in getting recruits and attracting men to the service? I believe that this result is likely to be better attained by the daily increase of 2*d.*, and the further increase of 1*d.* a day afterwards, than by an increase in the rate of pensions. [Mr. O'Reilly: Will the 2*d.* or 3*d.* a day be carried to the pensions as an increase ?] No. It is also proposed to let the soldiers, as far as possible, repair their own barrack damages—a plan by which a great source of annoyance and complaint will be removed. The recommendation with regard to re-engaging men when under orders for foreign service is also provided for by the Estimates which I have laid upon the table of the House. It is, no doubt, a matter of great economy to get the men who are abroad to re-enlist, instead of sending them home to this country. The amount of bounty to be given to men re-enlisting in India, however, is a question for the Indian Government to deal with.

I now come to the reserve force, and the recommendations of the Commissioners with regard to them. The Commissioners state, with great truth, that our real army of reserve is the militia, and that it is in that quarter that we shall eventually have to look for our reserve ; and they consider it advisable to raise the militia to its full number—that is to say, to 120,000 men. With regard to the sums provided in the Supplementary Estimates, there is one great advantage—every shilling goes directly into the pocket of the soldier. There are no establishments, no clerks, nothing to intercept it. But, notwithstanding this additional cost of £450,000, it is not proposed to add a single man to your army, but merely to enable you to raise the men that you now want. The question, therefore, is, how are you to form an army of reserve which, if war should become imminent, you might combine with the regular army ? Recollect, there are wars of two descriptions in which England may be engaged. She may be engaged in a war with a Power from which there is little or no chance of invasion. Such were the wars within my recollection—the war in the Crimea, the Indian Mutiny, and others in which you have been obliged to employ your regular army abroad, and for which you had the greatest difficulty in raising the numbers necessary for your purpose. Everybody recollects what took place in the Crimean War. You had to appeal to the militia to give up every man they could spare, and to raise recruits by means of an extraordinary bounty; and what was the result ? Why, the men you raised were by no means so efficient as they should have been. Now, we want a reserve of two kinds—a first and second reserve. We want men who would be ready, at a moment's warning, to fill up the ranks of your regular regiments ; I have proposed to reduce the strength of the regiments serving at home as low as 600 men ; and if you have a proper reserve, should war threaten to break out, you could at once fill up the ranks to 1,000, and you would not require additional officers, as these are all there already. In the first reserve the condition of service would be that the men should serve abroad ; the men of the second reserve would not be called upon to leave the country. Now, how are we to raise this army of reserve ? You relied for its formation for the last six years on men who had completed their term of service. That system was pronounced by the Royal Commission to be a perfect failure, and the Royal Commission never came to a more correct conclusion. The first thing I did upon entering office was to suspend the operation of the warrants. It has been suggested that you should attempt to form an army of reserve by making service in the reserve a portion of the original contract of the soldier—that is to say, by making it a condition of enlistment that the men should serve so many years in the regular army and so many in the army of reserve. But I do not think that would answer—for this reason, that when a man, having served in the line, came then to serve in the reserve, he would not be able to live unless he had some employment or you gave him high pay; and when you wanted him perhaps you would not know where to find him. I think, therefore, that instead of making the time to be spent in the reserve a portion of the original service, it should be made a substitution for a portion of that service. The way I would deal with it is this :—When a regiment had completed its period of foreign service and returned home, I would propose that it should not be sent in the first instance into camps or garrisons, but that it should go to some locality with which it had or might wish to form some connection, and where little or no duties would have to be performed the first year. The regiment being about, as I have said, to be reduced to 600—they would come home much stronger—I would give the men long furloughs, and if, at the end of their leave, they came and said that they could find employment, I would commute the rest of their service to service in the reserve. Now, this should be treated not as a matter of right, but of favour—because, if it was a matter of right, some regiments might be completely broken up on account of the number of men who might claim their discharge. Then I would propose that the first reserve should be attached to the militia. I should be very sorry to see another army raised up between the militia and the line, and I think militia officers have the strongest feeling upon this subject. I have always had the strongest inclination to bring the militia forward as much as possible. [Captain VIVIAN: After how many years' service would you allow a man to join the reserve?] I propose that any of these men who could find employment after having completed two-thirds of their first engagement and served five years abroad, should be allowed to commute the rest of their service for service in the first reserve, and that they should be liable to general service in case of war, but for that war only. The Royal Commission has said that for the future wars will probably be of very short duration—perhaps confined to one campaign. When the war was over, therefore, I would allow these men to return to the reserve. I would have them enrolled as regular militiamen, subject to no other duty or liability except that of being called upon to serve if war became imminent. The men who were in the second period of their engagement, and had served two-thirds of their period — that is, men who have been seventeen or eighteen years in the army, I would attach, not to the first reserve, because I desire that it should consist, not of worn-out soldiers, but of men ready to take the field at a moment's notice—say of men who have served about seven years. I would attach the second period of service men to the pensioners, requiring two years' service in the second reserve for one in the army, because they would not be liable to leave this country. I do not anticipate that these two classes would give a large reserve, because I believe that most of the men who would go back to civil life would desire to return to the army; and in that event I would allow them to do so, counting two years' service in the reserve as one in the line. The regiments coming home this year will be about 2,165 in excess of their strength of 600 men per regiment; and probably all these will, if they can find employment, be entitled to join the army of reserve. You will have to discharge that number of men, and the whole of them would be entitled to the boon I have described. But, after all, that would give only a very small force; however, it would gradually increase. As each regiment came home, the average excess of its numbers would be about 150, and so many might be permitted to commute the rest of their service by service in the reserve. Hon. Gentlemen are aware that a good many officers in the militia do not like to have old soldiers saddled upon them, but I think those serviceable men would be of great use. At all events, officers commanding the militia need not call them out for training unless they wished, for these old soldiers would not require twenty-eight days' drill, but there they would be any time we wanted to lay our hands on them. This, as I have said, will give you but a very small army of reserve; but I would propose to invite the officers of militia regiments to call upon, say one-fourth of their establishments, to volunteer for the first reserve. The Royal Commission recommended that the militia should be raised to their full strength, the quota being 120,000. The present strength of the militia is about 90,000, and the difference between that and 120,000 would constitute the army of reserve. I would invite the officers of militia regiments to ask their men to volunteer for this purpose; but I propose to make no alteration in their term of service in the militia, nor to take them away from their regiments, except in the event of war, in which case they would be called upon to serve with the regular army. As an inducement for them thus to volunteer for the army of reserve, I would double the ordinary militia bounty—that is to say, the militiaman who now gets £6 spread over five years would get £12 spread over five years. I have not the slightest doubt that such a bounty would induce any number of men you want to enlist, and that when men saw they received double bounty for exactly the same duties, there would be a great desire to enlist in this army of reserve. Moreover, every regiment that contributed a certain quota to the army of reserve I would allow to be raised to its full strength, so that you would have the militia regiments exactly in the same state as before, and would have the additional men belonging to the army of reserve. Those men would be liable for service in the regular army only during the duration of war; and I believe there are thousands of militiamen who, while they would object to becoming regular soldiers liable to colonial duty, and to remaining in the army for a long period of service, would have no objection to come forward for a single campaign. From this source, therefore, I expect there would be a considerable addition to the reserve. These men would have the ordinary militia pay; so that the only additional expense would be the extra bounty. But I may be asked how I propose to raise the additional force to the militia under the new system, seeing that it is now considerably below its number? I reply, that I believe the addition of 2*d.* a day, which will be given to the militia as well as the regular army, and the double bounty to the reserve men, will have the effect desired. The number of men required to place upon a war footing of 1,000 men each, fifty battalions of infantry, and complete the strength of the household troops, cavalry, artillery, &c., would be 37,659; and I believe that while the plan I am now recommending would be by far the cheapest that you could adopt, it would also enable us at once to put our hand upon the number of men we required, who would be ready for service without any delay. My proposal, however, is to limit the army of reserve to one-fourth of the present establishment, and for this reason—I do not wish to break up the militia regiments. When on former occasions such regiments have volunteered for service abroad in time of war they have been almost broken up by allowing men indiscriminately to enlist in the line. I propose, therefore, to restrict the number. I would not take a man from the militia for the first reserve until he had gone through his drill and was able at any time to give efficient service. Then I propose that every 100 men drawn from the militia for the reserve should be accompanied by an officer, who should get a commission in the regular army. I am aware that this is an experiment dependent upon the voluntary action of others; but I recommend it because I do not wish to have recourse to the ballot for the militia, or to any other means than that voluntary enlistment which has supplied our service for so many years. The Royal Commission conclude their Report with an admission that their suggestions will lead to increased expense, and they add that, considering the vast interests at stake, and the immense amount of wealth and property accumulated in the country, as well as in our large cities, they cannot believe that the nation will hesitate to pay what, after all, will but amount to a very trifling rate of insurance. I, too, am certain that the nation will not grudge that expense, and that if, this being the only country in the world where the people are free from military service, we can raise all the force we want on the moderate terms I have mentioned, we may think ourselves well off.

With regard to the second army of reserve, I do not propose to exceed the number of pensioners which there is already power to raise by Act of Parliament. There is at present power to raise 30,000, and the number we now have is only 14,000, and the difference between the two numbers will involve the whole of the second reserve. The pensioners are an admirable force, and are the only body which the civil power has a right to call out in case of disturbances. Nobody objects more than I do to the calling out of the Volunteers for such a purpose, and I hope that that question will be finally set at rest. Pensioners, however, may be called out by the civil authorities. I propose that men who have re-engaged and completed two-thirds of their second engagement should be allowed to commute their remaining term of service for service with the pensioners, receiving the double bounty of militiamen, but serving two years for one to entitle them to a pension, as they would not be liable to be sent abroad. The success of this plan will depend upon the extent to which lords-lieutenant and colonels of militia encourage volunteering to the reserve. I am convinced, however, that this is the plan that must be carried out, and if it cannot be worked in connection with the militia it must be—which I should very much deprecate—carried out without connection with that force. I should strongly deprecate making the army of reserve unconnected with the militia, because the effect would be that a man, on obtaining his discharge from the militia, would instantly go to this army of reserve, instead of remaining in the militia, which the double bounty I propose would induce him to do. What I propose will carry out not, indeed, any direct recommendation of the Royal Commission, but almost all the suggestions they have offered with regard to the army of reserve. They recommended that the Secretary for War should have power to commute the last four or five years' service in the army for service in the reserve, and that an addition should be made to the pensioners, both which I propose to carry out. They recommended, too, the militia as the source to which we must look for an army of reserve. Before coming to this conclusion I wrote to His Royal Highness the Commander-in-Chief to ask for his opinion, and the recommendations of His Royal Highness were almost identical with what I have proposed. The effect will substantially be this—you will have a militia, consisting of 120,000 men, of which one-third or one-fourth will be an army of reserve, liable in time of war to fill up the ranks of the army, and the only additional expense will be the extra bounty that they will receive. You will have time before coming to a Vote to reflect upon the subject, and to consider whether the propositions I have submitted are advisable to adopt or not. All I can say is, that should the recommendation I have now made of an addition to the pay of the soldiers be carried out by this House, it will be the greatest pleasure to me to think that the last act of my official life will be one which will, I trust and believe be for the benefit of the soldier, and for the advantage of my country. The right hon. and gallant Member concluded by moving—

> "That the number of Land Forces, not exceeding 139,163 men (including 9,778 all ranks, to be employed with the depôts in the United Kingdom of Great Britain and Ireland of Regiments serving in Her Majesty's Indian Possessions) be maintained for the Service of the United Kingdom of Great Britain and Ireland from the 1st day of April 1867, to the 31st day of March 1868, inclusive."—(*The Secretary of State for War.*)

THE MARQUESS OF HARTINGTON: Sir, I am quite sure that the Committee will agree with me when I say that the very able, clear, and straightforward statement of the right hon. Gentleman will increase the regret which, affected in no degree by any political differences between us, we all feel that the country is about to lose his services. Sir, I do not understand the right hon. Gentleman to ask the Committee to express any opinion upon the scheme he has just laid before us. I think the Committee will agree with me that it is quite impossible to do so, the more especially as the Estimate now placed before us does not give us any explanation of the details of the plan. That plan not only involves questions of great importance in a financial point of view, but it affects a question of still greater importance—the future military policy of this country. As I understand it, the proposal is that this country shall commence the adoption of something approaching to the Continental system, where a comparatively small number of men are kept in military service, and where a much larger number of men are kept under liability to serve. That is a proposition of great importance, because it makes a great and fundamental change in the constitution of the force which has always been considered the constitutional force of this country—the militia. That force has hitherto been raised simply on the condition of service at home, and the proposal is that a portion of this force shall undertake the liability of serving abroad. It appears to me, as the scheme stands at present, that it very materially interferes with the efficiency of militia when it is first embodied in case of actual war. For these reasons, I would suggest that the Committee should not only abstain from giving any final decision on the scheme to-night, but that, as far as possible, they should abstain from discussing either the principles or the details of the measure. In the first place, I would ask the right hon. Gentleman to explain more fully than he has done why the expenses attending the scheme have been placed before us in the shape of a separate Estimate. I am willing to admit that for the purpose of discussion of the Army Estimates there are some advantages to be obtained by having the scheme of the Government in the shape of a Supplementary Estimate. But a large portion of the expense included in the Supplementary Military Estimates would, as it appears to me, have been more properly embodied in the ordinary Estimates. The 2*d.* and 3*d.* per day which the right hon. Gentleman proposes to add to the pay of the troops would, if adopted, come under Vote 1 of future Estimates, and I want to know whether there is any reason, in addition to the obvious one of convenience of the House, which induces him to lay these Estimates before us in two forms? I wish to know whether the right hon. Gentleman and the Government consider there is any difference in the responsibility they have undertaken in such Estimates; and whether they consider that the House is pledged to the additional expense proposed in the Supplementary Estimate on account of the Report of the Royal Commission; or whether they look upon the two Estimates as merely two portions of one plan? Another question I should like to ask is, as to that portion of the plan in which the right hon. Gentleman proposes to allow men who have served a certain portion of their time to commute the remainder of the service for service in the militia. Does it not occur to the right hon. Gentleman that this proposition, extending, as I understand it, merely to regiments at home—on their return home from foreign service—will materially interfere with the recruiting for regiments at present abroad? If a man enlists for a regiment which has lately gone abroad, he will know that he will have, according to the length of his service, probably the whole or the greater part of his ten years' service in India. If he enlists in a regiment which has nearly completed its term of colonial service, he will soon come home and have the benefit of the proposition of the right hon. Gentleman. I should also like to know whether it is his opinion that the sum of £500,000 which is included in the Supplementary Estimate will probably be the whole cost of the scheme after it has once come into operation? If, as I think he will admit, that £500,000 will not nearly cover the whole of the cost entailed upon the country, I wish to ask him whether he has formed any estimate of the ordinary annual expense of the scheme? I conclude that in order to carry into effect the changes proposed of increasing the period of enlistment from ten to twelve years it will be necessary to introduce a Bill. It will also be necessary to introduce a Bill to enable the right hon. Gentleman to enrol militiamen with liability for foreign service. If I am right in these two conclusions, it appears to me the most convenient form in which we can discuss the scheme of the right hon. Gentleman will be that he or his successor should as soon as possible lay before us the Bill, in order that we may see the machinery by which it is proposed to work it out. At present we have not the scheme before us at all. We have, no doubt, had a very clear and lucid statement from the right hon. Gentleman, but we ought to have all the details of the plan before us. As the right hon. Gentleman referred to the Report of the Recruiting Commission, I wish to say that I have read certain portions of that Report with great satisfaction, as they bear out statements which I frequently made in this House, and which appeared to be received with considerable doubt on the part of several hon. Members. The first has reference to the supply of recruits, and the second to the re-engagement of the ten years' men. Last year the supply of recruits, although short of the demand, was not alarmingly deficient; yet some hon. Gentlemen urged upon the Government to take some active and energetic measures for increasing the supply. Almost the first paragraph of the Report of the Commission states that although the evidence showed that the number of recruits raised had not been sufficient, still, that the deficiency had not been such as to create uneasiness, and could be attributed to causes which might be remedied. I think that this passage of the Report entirely justified the late Government in not acting sooner in the matter, and, when we did act, in only going to the extent of instituting inquiry. With respect to the re-engagement of the time-expiring men, a very large portion of the time spent in discussing the Army Estimates during the last two or three years has been occupied with this question of the re-engagement of ten years' service men. From many Members connected with the army we heard the most alarming statements of the loss which was being caused to it by the discharge of those men who were said to have left in such numbers as greatly to endanger the efficiency of their regiments. Now, though I could not deny that large numbers of men were taking their discharge, I felt it to be my duty to point out that one object of the Limited Enlistment Act undoubtedly was to enable them to do so after they had served for a certain time. I at the same time admitted that it was desirable a considerable number of these men should be retained; and I was, from figures which I had in my possession, able to show that in the artillery and the cavalry a large number of men did actually re-engage, and that the loss to the infantry was not more than 40 or 50 per cent. That statement has been fully borne out by the Report of the Commissioners. They say—

> "In regard to the retention in the army of men after the expiration of their first period of service, referred to in paragraph 4 of the Secretary of State's letter, there can be no doubt that if we look only to the efficiency of the army, and take into consideration the strong opinions which pervade the minds of its officers, it is not desirable that too many of the old and seasoned soldiers should be lost. Nor do we think that such is the case; and, in support of that opinion, we would call attention to a Return marked K 17 in the appendix, which shows the increase and decrease of the army for five years, from 1861 to 1865, from which it appears that while the casualties from all causes amounted to 93·5 per 1,000, the loss of limited service men was only 14·8 per 1,000, and this would appear to include not only the men who refused to re-engage, but those who, though willing to do so, were from various causes

rejected; the table in the margin and the Return in the appendix show also that the age and service of the soldiers composing the cavalry and infantry are not less favourable for military efficiency at the present day than they were in 1846, just prior to the introduction of the Limited Service Act, when enlistment for life was the rule. We would also call attention to a Return in the appendix, showing the decrease of the army for six years, from 1860 to 1865. From this it appears that out of the total number of casualties from all causes, amounting to 125,890 in all arms, the number of soldiers lost to the service under the Limited Service Act was 17,585. By another Return in the appendix it is shown that during the five years ending 1864-5, out of 25,403 soldiers whose time of service had expired 11,343 left the army, while 14,060 remained."

They go on to say—

> "In the artillery nearly two-thirds of the men entitled to take their discharge re-engage, and in the engineers about three-fifths. In the cavalry and infantry the proportion of re-engagements is considerably smaller."

Now, the conclusion thus arrived at, after full deliberation, entirely confirms, in my opinion, everything which I stated in this House on the subject of the Limited Enlistment Act. I know that there has been a very strong feeling manifested very generally throughout the country on this subject. It was contended in the press that the scope of the inquiry was inadequate, and that the investigation of the Commissioners was not sufficiently searching to meet the necessities of the case. I must, however, in justice to the Commissioners, point out one thing which I think ought not to be lost sight of. It must not be forgotten that the feeling which existed in the country when the Commission was appointed was very different from that which now prevails. It was appointed in May or June of last year, and we then had not the experience which we have since derived from the war in Germany. The country would have been satisfied in May or June if we had been able to point out to the House some plan sufficient to supply recruits to our army, organized as it was at the time. We wanted, I believe, nothing more then than that we should have an army maintained at the strength at which it had been kept up for some years — an army sufficient to discharge the duties required of it in India, in the colonies, and at home; and that we should have no difficulty about recruiting it to that strength; while, as regards reserve, it would have asked for nothing more than a well organized militia and Volunteer force. The events of last summer in Germany caused, however, a very great change in the public feeling on the subject. After the war which then took place there were, no doubt, a great many persons who were not satisfied that our army should be that which they would have been contented with earlier in the year, and who desired that we should have not only a sufficient defensive reserve, but also a large reserve, organized on something like the Continental system, by which we could call up a large number of men from the reserve and use them, if necessary, not only for purposes of defence, but of aggression. I need not remind the House of the number of schemes which were put forward during the winter with the object of providing the country with such a reserve. The general tone of a great many of the writings and speeches in which those schemes were shadowed out was that, taking into account the scale on which war was now carried on in Europe, it was useless for us to think of maintaining our rank among European Powers unless, instead of counting our armies by thousands, we mustered them, as they do, by hundreds of thousands. I must, however, say that I do not believe, great as the excitement in the country was —and it is not, perhaps, yet quite subdued—that it was the wish of any larger portion of the public that any plan should be put into execution which would enable us to organize our army on the scale now adopted on the Continent. The great majority of the country would, in my opinion, have been satisfied should we at any future time, unfortunately, be called upon to take part in another Continental war, if we were able to do as we have hitherto done—place in the field an army respectable, not from its enormous numbers, but from its composition, materiel, organization, equipment, and discipline, instead of vieing with Continental nations in sending forth armies mustering 100,000, 200,000, or 300,000 men. I believe I may add that there is one good lesson which may be learnt from the recent war in Germany, and it is one which the right hon. and gallant Gentleman would appear to have had in view in preferring his scheme. If that war proves anything it is, I think, the fact — though the conclusions drawn from it may have been in some respects exaggerated—that in the Prussian campaign in Bohemia it was clearly shown that an efficient infantry soldier might be obtained by an amount of drill not exceeding three years. Indeed, a great part of the Prussian army was composed of men who had served in the ranks only one year, and the bulk of it consisted of men who had had only three years' drill. That is a fact which we may turn to account; and I must say that the part of the scheme of the right hon. and gallant Gentleman which I heard with the greatest satisfaction was that in which he explained the means by which the term of service of the British soldier would be practically shortened, if his services were not required, in time of peace. Indeed, I shall be anxious to see whether, in the execution of the scheme, it may not be possible to go still further in that direction than he proposes. I have now said everything which I deem it necessary to say upon this plan, and I would only add a very few remarks with respect to the ordinary Estimates. The right hon. Gentleman has expressed his regret that those Estimates show a considerable increase over those of last year—an increase which he set down at £412,000. He omitted, however, to take into account a sum of £250,000 which was added to the Vote of last year on his own Motion, and which formed no part of the Estimate of the late Government. I am not at all complaining of the magnitude of the sum which he now asks us to vote, but I feel bound to remind him that his Estimates are not £412,000, but £662,000 in excess of those of 1866-7. The increase, I may add, would have been still greater had it not been for a mere matter of account, which enables the right hon. Gentleman to reduce his Estimate. The Committee will perceive that there is an increase for the present year in almost every Vote, except Vote 13, on which there is an apparent reduction of £150,000. The sum which the right hon. Gentleman proposes to spend is, however, really not reduced by that amount. The apparent diminution is attributable to the fact that the right hon. Gentleman expects to be repaid by other services and by the colonies £150,000 in excess of the amount we estimated we should obtain from those repayments last year. I do not wish to dispute the accuracy of his Estimate, but I should like to have some explanation on that point. The Committee will at the same time see that but for this Estimate the actual excess of the Vote proposed for the present year would be £810,000 over that proposed by the late Government. Against the right hon. Gentleman's arguments in favour of that excess I have not a word to say. He contended that the first seven Votes are entirely dependent on the number of men. That is not, however, quite an accurate statement, for it must be observed that some of those Votes include a great many items over which the House has control—such as those relating to depôt establishments, recruiting establishments, the purchase of horses, instruction in gunnery, &c. All these are items which are not, perhaps, susceptible of any extensive reduction, but over these the House can exercise a control if it pleases. Over the Commissariat Vote the House, when once it votes the number of men, has little control; but the expenditure in Vote 3 does not depend entirely on the number of men, but on the economical or extravagant manner in which the clothing departments are conducted; and, possibly, by a careful revision, a reduction might be made in that Vote. Vote 4 to a very small extent depends on the number of men, and I know that when I was at the War Office very considerable reductions were annually made in that Vote. Whether those reductions have reached their limit I cannot say; but this I know, that they do not depend on the number of men raised for the army, but to a great extent on the careful supervision of the officer at the head of the department. The same remark applies in a certain extent to Vote 7. There always are, and I believe there always will be, very good reasons discovered every year for some increase in the expenditure, and which when stated as the right hon. Gentleman has stated them, appear to be unanswerable. As I said before, I find no fault with the right hon. Gentleman for the increased expenditure, as it was not in his power to prevent the rise in the price of provisions and clothing; but all I wish to say is that the head of every department must continually have to meet and deal with demands for increased expenditure, and it seems to me to be his duty, while providing all that is absolutely necessary, not to relax in his endeavours to keep down the expenditure in those branches where reductions can be made. I believe that is the only way in which we can expect to get any economy at all. I do not mean to follow the right hon. Gentleman in all his observations; but the fact is, that these are the first Estimates for four or five years past which are not reduced, but very considerably increased. With respect to the particular Vote now before the Committeee, I have only to observe that a careful examination of it affords most convincing proof of the truth of the statements made the other night in the discussion on the Motion of the hon. and gallant Member for Lichfield (Major Anson), that the increase of our colonial and Indian establishments merely amounts to a decrease of the British establishment. I entirely approve the proposal for forming a special force for service at Hong Kong, and I believe that preliminary directions for it were given before I left office. That addition is exactly balanced by the reduction which the right hon. Gentleman is compelled to make in the British establishment. The right hon. Gentleman will doubtless recollect that a very interesting discussion took place last year on the subject of musketry practice, and the result was that the Commander-in-Chief appointed a committee to consider whether the system was not carried to a certain degree of excess. It was deemed desirable to ascertain whether some relief might not be given to the men, and some reduction made in the Vote if possible. As the result of this inquiry, it is intended to give up, after six months, the school at Fleetwood. In that discussion it was urged by a great many Members that the system of musketry instruction was excessive and might be reduced. I should like to know what has been done in this direction, and whether any other reduction is to be made besides that at Fleetwood. No reduction appears to be made in the Supervisor's Staff. Then, as regards the manufacturing departments, I should like to have minute information furnished respecting the conversion of the Enfield rifles into the Snider pattern. It seems likely to turn out that the right hon. Gentleman was too hasty in making so large an expenditure so suddenly; and so it may be seen that the late Government was right in not proceeding faster than it did, for many difficulties seem to have been met with which were not anticipated last year when the Supplementary Estimate was moved, and I am not sure that the caution given by my right hon. Friend the Member for South Lancashire (Mr. Gladstone) was not a wise one. I think the process might have been more economical if the right hon. Gentleman had proceeded more slowly. I do not wish to find unnecessary fault with the right hon. Gentleman; but I think we have had proof that in all such matters the greatest deliberation and prudence are necessary. I have now finished the remarks which I desired to make upon the Estimates moved by the right hon. Gentleman; and I will conclude by again venturing to suggest to the Committee that it will be impossible for us to give a decided opinion with reference to all the details of the scheme laid before us until they have been communicated in their entirety.

Mr. NEWDEGATE tendered his thanks to the right hon. and gallant Gentleman for the statement which he had just made to the Committee. Various proposals had been brought forward by previous Governments for increasing the defensive means of the country, and there was a general sense of the importance of their being maintained and perfected, especially when we had regard to the experience of foreign nations, and considered the complicated state of foreign politics, and the present unsatisfactory condition of Ireland. Certainly this was not a time when the defensive resources of this country ought to be diminished. The proposals which had been introduced to the attention of the Committee would involve an increase of expenditure; but the scheme was based on a principle consistent with the constitutional usages of the country. The right hon. Gentleman told them he had done that which was not contemplated by his predecessor: but he (Mr. Newdegate) thought that the right hon. Gentleman was quite justified in the course he had adopted when strong apprehensions were entertained of the invasion of Canada, and he thought the right hon. Gentleman deserved the greatest credit for the manner in which he had proposed to meet the difficulty, and for the promptitude, decision, and efficiency which he had displayed, and by which he had been successful in warding off the danger. He was enabled to speak with confidence on this subject, because he had received communications from friends in Canada who expressed gratitude for the energy of the Secretary at War in having the troops armed with breech-loaders, while the malcontents of the United States imagined that they would be restricted to muzzle-loaders. It was the hope of the Fenians, that by buying up the arms which were being sold at the close of the civil war in the United States that had mainly stimulated the idea of a Fenian raid on Canada; they counted upon finding themselves armed with breech-loaders, while the English soldiers would be armed only with muzzle-loaders. The country owed a deep debt of gratitude to the right hon. and gallant Gentleman for having, by extraordinary exertions, placed a breech-loader in the hands of every

British soldier in Canada before the communication between the colony and the mother country was interrupted by the ice. He (Mr. Newdegate) desired to pay his tribute to the efficiency which had marked the conduct of the right hon. Gentleman in the administration of his most important Department — a Department which was doubly important at the present time. He would not then pronounce any opinion upon the able scheme which the right hon. Gentleman had laid before the country for an army of reserve; but he knew that he spoke the general sense of the country in expressing gratitude to the right hon. Gentleman—a feeling which was only heightened by regret that the right hon. and gallant General should have left a Department which no other Member of the House was capable of conducting with so much advantage to the State—he believed that such was the feeling pervading the country, and had no doubt that the expression of that feeling would be reiterated on both sides of the House.

Mr. O'REILLY agreed with the noble Marquess the late Secretary for War that it would be premature to-night to express any decided opinion on the scheme so ably brought before the Committee by the right hon. Gentleman; but, at the same time, he thought there was sufficient matter in the statement they had heard to enable them to express a proximate opinion till they saw it more in detail. He wished to make one observation on what the noble Marquess had said with regard to the Commission of which he (Mr. O'Reilly) had the honour to be a Member. The noble Marquess said that public opinion had declared that the recommendations of the Commission were inadequate, and that they did not appear to consider the great necessity for urgency in regard to the army of reserve. The noble Marquess had vindicated the Commission for not largely entering on that subject, because, he said, the campaign of last summer had not then taken place. But the more simple vindication of the Commission was that, neither in the Order of Reference nor in the letter of Instructions which the noble Marquess addressed to them, was their attention called to the subject of the army of reserve. The direction of the Commission was—

"To inquire into the operation of the laws at present in force for raising men to serve in our army, and into the existing system of recruiting for our army, and, after full and careful consideration of these important subjects, to report to us any changes in the existing laws and regulations affecting the raising of men for our army, which would in your judgment facilitate recruiting and to retain in our army a due number of men who have completed their first period of service."

Lord Hartington's Letter of Instruction referred the attention of the Commissioners to the following points. They were to inquire—

"1. Whether the deficient number of recruits arose from any defect in the present recruiting arrangements, for the increased number now required in time of peace, from any circumstances which render the military service less attractive than formerly, or from the increased advantages of civil life:—2. What were the remedies for this state of things—whether by localizing regiments, and connecting them with the militia of their respective counties; higher pay, without pension; or higher bounty:—3. Whether the operation of the Limited Enlistment Act has, on the whole, operated beneficially:—4. Whether it is desirable to retain in the Army a larger number of ten years' men than now re-engaged; whether any change should be made in the first or second period of enlistment, and whether a third period should be introduced:—5. Whether it is desirable to retain a hold over those ten years' men who do not remain in the Army either by forming them into a separate Reserve Force, or to incorporate them with the Militia; and whether those plans should be part of their original engagement:—and 6. Whether the system of regimental recruiting should be continued or a system of general enlistment introduced."

He ventured to say that every one of the items referred to in the Letter of Instructions had been considered by the Commission, and specific recommendations were given in regard to them. He fully concurred with the noble Marquess that, notwithstanding the excitement in the public mind caused by the campaign of last year, this country had no desire that our military force should enter into competition with the military strength of the nations of the Continent; and that it did not desire to raise such an army as might induce us to engage in Continental wars. What the county did desire was that our army should be thoroughly well organized, including the army of reserve, so as to be thoroughly efficient for the defence of the Empire and its honour whenever it was attacked. The noble Marquess said that one part of the Report of the Commission had given him great satisfaction, because it vindicated what he had said, that the falling off in the number of recruits was not such as to excite alarm, seeing that it had arisen from causes that might be remedied. He was one of those who, four years ago, first drew attention to the fact, and urged on the

House the necessity of investigating the causes of the falling off in recruiting. He made a Motion on the subject which the noble Marquess did not then think it necessary to accede to, but which culminated in the Commission of Inquiry. It was not fair to say that our army was very little below the numbers voted for the last five, six, or seven years. The question was, what was the number of recruits we had been able to obtain compared to the number it would ordinarily require to keep up the army? The average strength of the army might be taken at about 200,000; 140,000 on the Votes, and some 60,000 in India. The average annual loss from all causes, not by expiration of service, was 80 per 1,000, which gave 16,800, and if we enlisted men sufficient to supply our wants every year for twelve years' service, 8,000 would be entitled annually to take their discharge. The number of recruits required would therefore be 24,800 every year, while the average number obtained for the last seven years was very little over 15,000. Even taking into account the number of time-expired men who were re-engaged, 60 per cent on 8,000, there was a large deficit, which rendered it most important that means should be found for increasing the number of recruits. There was another point which the noble Marquess said had given him considerable satisfaction—namely, that the discharges of time-expired men were not so considerable as might have been thought. But they were apt to confound the number of men who ten years ago enlisted with the number who in any year would be entitled to take their discharge. On this subject he had obtained a Return of the number of men entitled to take their discharge two years ago. In those years out of 38,000 men enlisted only 8,000 were in the ranks at the expiration of their first period of service, and entitled to claim their discharge. No doubt that was an exceptional time; but even during peace he believed out of every 1,000 men enlisted only 450 or 500 would be in the ranks at the end of their first period, and in a position to claim their discharge. Even now not more than about 200 would claim it. That fact appeared to him to be the strongest argument in favour of the view of the Commission as to the non-necessity of repealing the Limited Enlistment Act. He wished now to make a few remarks, rather in an interrogatory spirit, on the plan of the right hon. Gentleman for an army of reserve. In the first place, he must say — reserving, of course, the right of modifying his judgment — that he most frankly and cordially concurred in the plan of the right hon. Gentleman. He thought it was fraught with great advantages. Chief among them was this, that it would give the country an army of reserve at the very moment when it was most wanted—that was, at the outbreak of a war. It would also conduce to economy in the Army Estimates, as it would enable them to reduce the regiments in time of peace to an extent that would not involve danger in the case of war. But this plan showed the necessity of other measures, all tending in the direction which he had urged upon the House four or five years ago, and which was also urged by the hon. and gallant Member for Lichfield (Major Anson). He was afraid the right hon. Gentleman would never be able to carry out his plan while so many of our regiments were engaged in foreign service. Out of the 132 battalions of infantry (exclusive of the guards) there were never more than from thirty-two to thirty-four at home; and he feared there would not be sufficient to work the system. But the greatest merit of the plan, in his eyes, was its simplicity; it involved no new or strange organization, but rested upon the old groundwork of our army system. He had always looked with doubt and suspicion upon any plan involving a new or strange organization. With the pensioners, Volunteers, militia, and regular army, we had at the present moment organizations sufficiently numerous and varied, and the plan proposed by the right hon. Gentleman would tend to link the two great branches of the service more cordially together, a result that was very desirable. There was another point which he looked upon as one of great merit—that of a local connection to be given to the regiments. He had urged this consideration upon the House four years ago; not, indeed, that the connection should necessarily be one with the county whose name the regiment bore, but that it should be such as spring naturally from the circumstances. Perhaps the best mode of carrying it out would be by counties; all he contended for was that it should be encouraged in every possible way. The same point had been pressed upon the Committee by military authorities, such as Lord Strathnairn, Lord William Paulet, Colonel Campbell, and most of the officers connected with the recruiting service. It was stated in evidence before the Committee that some of the second battalions of regiments which had been raised in Lancashire never had any difficulty in raising recruits from that district. A third advantage was that it would bring not only many men from the reserve into the army, but it would induce a number of others to enlist for the period of the war. The advantage of this plan was seen in the late contest in America, when hundreds of thousands of men who never would have enlisted as common soldiers for prolonged service were found to be ready, either from a spirit of patriotism or adventure, to enter for the period of the war. The right hon. Gentleman proposed very properly to allow men on returning from foreign service, when the battalion was above 600 strong, to join the army of reserves, and even when the battalion was below that strength a man might join the army of reserve on procuring a recruit. He would venture to suggest whether it might not also be well, when a regiment was ordered on foreign service, to allow men who had nearly served their time to enter at once into the army of reserve, instead of cumbering their depôts with them? With regard to the increase of pay, he thought there was great force in the remark of the right hon. Gentleman, that the men would appreciate it better if they got the 2*d.* a day direct instead of in the way the Committee proposed. But, as a Commissioner, there were one or two recommendations of the Commission for the benefit of the soldier to which he wished to draw attention. A soldier, they recommended, should be able to get his good-conduct pay in two years actually, and not have to wait until the expiration of the third year before he received it. At present a man might get into the defaulter's book as often as he pleased during the first year, and still get his good-conduct pay at the end of the third year as soon as the man who had never been in the defaulter's book at all. The consequence was that a soldier had no inducement whatever to behave well for the first year. Then they had suggested as important that the good-conduct badge should not be so lightly lost. [General PEEL: That will be attended to.] He was glad to hear it, and he was sure it would be gratifying news to the army at large. Another suggestion was that drills of instruction should, if possible, be diminished in the case of re-engaged men. Lord Strathnairn had emphatically expressed his opinion that this could be done, and that it would be most desirable. Another recommendation was that they should diminish the length of time spent in camps of instruction. On the Continent the camps were only used in the summer months, when instructions were given in the service of a campaign. But he knew of a battery of artillery that had been in Aldershot for four years. He was much gratified to learn from the right hon. Gentleman that in future regiments returning from abroad would not be sent to camps of instruction, but to country quarters. The greatest dissatisfaction had hitherto arisen from the fact that three regiments had been sent to Aldershot. He had only, in conclusion, to express his regret that the right hon. Gentleman was not about to remain in office to carry into effect the admirable scheme he had planned.

LORD EUSTACE CECIL begged to express his thanks to the right hon. Gentleman for the able statement he had made that evening, and for the full and ample manner in which he had entered into the Estimates. There was a great deal in which he concurred with the right hon. Gentleman, but there was one point on which he was entirely silent. It appeared to him that if they were to go into the question of army organization it would be impossible to separate it from the still more important question of War Office and Horse Guards organization. As matters stood now, the best possible Minister could not make the system work well. The Secretaryship of State was created in the year 1854, and almost every Department of the State was plundered to make work for it. The Home Office handed over to it the charge of the militia and the Yeomanry; the Colonial Office contributed the military affairs of the colonies; the Ordnance Department gave up to it the stores, the fortifications, and the depôts out of India; and the Treasury handed over to it the commissariat. What had happened since then? The work had been more than doubled; it had been indefinitely multiplied. The numbers of the regular army had been largely increased, the forces in India had been augmented, a force of about 150,000 Volunteers added to the responsibilities and duties of the already overtasked Minister. He would not detain the House by entering at length into the subject at present; but would say that he thought the right hon. and gallant Gentleman had forgotten what was due to himself in his anxiety for the good of the soldier. He trusted that at some future time the important questions connected with the organization of the War Office would be fully considered by the House, and dealt with in a bold and comprehensive manner.

Mr. GLADSTONE trusted the noble Lord who had last spoken would have an early opportunity of entering fully into the subject to which he had referred; the great attention which he had evidently given to the matter would, he was sure, command for him an attentive House. He might remind the noble Lord that the Motion of which notice had been given by the hon. Member for Invernesshire would open up the whole subject for discussion. There was certainly much to be said in favour of an inquiry into the subject. The subject is one of great difficulty; and when the noble Lord returns to the subject, I may venture to assure him that he will find a willing audience—an audience sensible of the difficulties of the subject, and sensible, too, that all the changes made at the time were not sufficiently well considered. The extensive changes in the War Office during 1854 and 1855 were necessarily made under circumstances of great pressure and with much haste; and there were many Members in both Houses of Parliament who would be able to speak with authority upon the subject. With reference to the remarks of the hon. Member for North Warwickshire (Mr. Newdegate), he confessed he could not follow him in his reference to the present state of the Continent or of Ireland. It was paying too great a compliment to the insane persons, as he would almost venture to call them, who had troubled the peace of the sister isle within the last day or two to, let their acts influence us to any extent in considering our military defences; and as to the Continent, he had the satisfactory conviction that our relations with foreign nations were steadily improving from day to day. It might be wise to place the defensive system of the country in a position to meet every emergency; but it would be the greatest mistake in the world to suppose, with the hon. Member for North Warwickshire, that any increase in our forces was proposed to meet dangers likely to arise out of our relations with the Continent. With regard to the limited range of the inquiry made by the Commission to which the noble Lord the Member for North Lancashire (the Marquess of Hartington) had alluded, it had been explained that the Commission did not think that the question of the army reserve came within the scope of its instructions. The matter resolved itself into a question of interpretation, not of the Commission itself, but of a letter addressed by the noble Lord when Secretary of State to the Chairman of the Commission, which contained instructions which might have received a larger interpretation than was put upon them by the Commissioners. Under the third head of instructions contained in that letter the Commissioners are told that—

> "Your inquiry should extend to the operation of the Limited Enlistment Act, and you should report how far that Act has answered the expectations with which it was passed, and whether its operation has or has not, on the whole, been beneficial to the army."

He confessed that the words of that letter might, in his judgment, have conveyed to the minds of the Commissioners that which he believed was in the mind of the Government at the time—namely, that they were to be at liberty to consider the whole subject of the reserve as far as it grew out of the time of service in the army, and as far as it was connected with the subject of recruiting. He should never think of blaming the Commissioners for having adopted the prudent and circumspect course of keeping within their instructions rather than to exceed them; but, considering the ability of those who were upon the Commission, it was greatly to be regretted that the country had lost some part of the benefit it would have derived from their inquiry, owing either to the narrowness of their instructions or to the too modest interpretation which they put upon their instructions. The right hon. Gentleman the Secretary for War had adverted with great clearness and force of argument to the question respecting the difference between the kind of advantages offered to the soldiers by the recommendations of the Commission, and the more direct and intelligible advantage in the shape of a small augmentation of their pay that he proposed to offer them. There was another subject immediately connected with this question, which appeared to have dropped out of view in the discussion which had taken place; and he was not sure whether the matter had been brought under the attention of the right hon. and gallant Gentleman opposite. It was, that last year, efore the appointment of the Commission, a departmental committee was formed to consider the very important question of ration stoppages in the army, by some modification of which it was possible to have conferred very great advantages upon the soldiers—advantages which might not have been less beneficial to them than those which were proposed by the Commission and by the plans of the right hon. and gallant Gentleman. That departmental committee drew up a Report for the consideration of the Government, and that Report, if he was not mistaken, was referred to the Commission; but it did not appear to be contained in the volume on the table of the House, neither did it appear from the Report of the Commission to have been under their consideration, notwithstanding that it was obviously a subject of great importance, because it offered a third alternative and method of proceeding distinct from that recommended by either the right hon. Gentleman or the Commission. Not feeling himself a competent judge of the matter he could not trust himself to say whether the alternative proposed by the departmental committee was or was not preferable to that proposed by the right hon. Gentleman or by the Commission; but as the object of the inquiry conducted by that Committee had been the subject of serious thought, he thought it was one that should not have been lost sight of; and therefore he would suggest to the right hon. and gallant Gentleman, that unless there was some objection to such a proceeding, of which he was not aware, that Report of the departmental committee should be laid before the House, as it must be calculated to enlarge their information upon a subject of great national importance. He wished also to express to the right hon. Gentleman his anxiety that he should candidly direct his attention to the question of the ultimate charge of the plans which he had proposed. He thought the right hon. and gallant Gentleman, in stating the extra charge which his plan for an army of reserve would entail, had forgotten that, besides the direct charge, there would be a great additional indirect charge involved by the adoption of his plan, inasmuch as by passing a large body of commuting soldiers into the militia, vacancies would be created in the regular army, which could only be filled up by a more rapid and extensive system of recruiting, necessarily involving a considerable expenditure. It would be desirable that some estimate should be given showing the probable amount of the indirect charge, if any, that would result from the right hon. and gallant Gentleman's plan if it were adopted. The right hon. and gallant Gentleman had himself told the House that the figures before them did not represent the real state of the case as regarded the heavy augmentation that had taken place in the Military Estimates. He could not regret any augmentation in the charges of the army that had been caused by the rise in the price of labour; but it was necessary to ascertain how far the increase in the army expenditure was attributable to that cause. It would also be the duty of the House, when they came to consider the Estimates in Committee, to inquire whether the condition of the soldier could not be improved by other means than by the rough-and-ready one of increasing his pay. He was afraid in these times, when Parliament and the public were disposed to deal liberally with the army, there was a strong disposition to regard a dose of public money as a universal panacea for every difficulty, without considering the advantages that might be obtained from other resources. He was rather disappointed at not hearing from the right hon. and gallant Gentleman that it was his intention to compensate the increase of charges in one department by a diminution of the expenses of another department. It might well be that from the vast amount of ordinary work the right hon. and gallant Gentleman had to perform he was unable to make the necessary investigations into the working of the numerous departments under him, and, perhaps, that might form a subject for consideration when a Motion in the nature of the Motion of the hon. Member for Inverness come on for discussion. As compared with last year let the House see how the matter stood. As his noble Friend the Member for North Lancashire (the Marquess of Hartington) had pointed out, the real increase of charge was a sum of £810,000 diminished by about £120,000, which his right hon. and gallant Friend expected to get in the shape of an augmentation of extra receipts, but, on the other hand, increased by £500,000 to be proposed as a Supplementary Estimate. So that the fact was there would be an augmentation of nearly £1,200,000 in the Army Estimates of the year. It might be unreasonable, but it was perfectly natural for a Member of the House of Commons to entertain a feeling that some not inconsiderable means of reduction might have been discovered to balance this excess of charge. It was not possible for himself to pretend to offer any material assistance to the House in discovering such means of reduction, and he heartily concurred in the observation of his noble Friend (the Marquess of Hartington), that it must happen that every year there would be some one or more head of service coming forward for an increase of public charge. But it was the duty of that House to make such provision as to insure that a steady and careful review of all the establishments should be going on within the departments themselves, so as to obtain, as far as possible, the advantage of compensating by reduction for any necessary augmentation of expense that might take place. It appeared to him a matter deserving the attention of the Government whether some special provision might not be necessary for the inspection of the various branches of our military expenditure, and it was worthy of the serious consideration both of Government and Parliament whether they had sufficiently discharged their duty on this occasion. Undoubtedly, before 1854, whatever might have been the imperfections of our establishments with reference to the gigantic operations required in time of war, there was an organization, both in the Ordnance Department and the Office of the Secretary for War, which was good for the purpose of checking the military expenditure. He thought the same organization would work equally well in time of peace. His right hon. Friend did not, probably, differ from that opinion, and he only stated what was on record in public documents when he said that the Duke of Wellington, who was no less great as an administrator than as a general, was the real author of the most difficult portion of that organization—namely, that relating to the Ordnance Department. He trusted, therefore, that this matter would receive the serious attention of the Government, for he was convinced that, without imputing blame, the fact that Her Majesty's Government, under the peaceful circumstances of the time, should think themselves obliged to propose so large an additional charge, instead of a reduction, would create disappointment in the country, and impose on the House the duty of determining whether some check should not be provided, and if the business of revision and reduction could not be sufficiently carried out by the ordinary means of departments it would not be necessary to consider whether there should not be some special machinery established for that purpose.

COLONEL GILPIN said, he was convinced that the service could not be improved without an increase of expenditure:—but the great question was whether they got an equivalent for what they paid. For his part, he wished to tender his thanks to the right hon. and gallant Gentleman the Secretary of State for War for the lucid statement he had made, and to express his regret, in common with the hon. Member for North Warwickshire, that the services of one who had shown himself so competent to deal with the important question of army organization were likely to be lost—he hoped only for a short time—to the country. He was glad that the right hon. Gentleman had stated that the reserve force must, to a considerable extent, be aided by the militia. He had taken the liberty to say to the late Mr. Sidney Herbert, when bringing in some Bills on the subject, that no matter what measures he introduced, there was no other organized force that he could fall back upon to do garrison duty and fill up the gaps in the army but the militia. The militia had been rather eclipsed of late by that splendid force, the Volunteers; and he remembered hearing the late Member for Lambeth (Mr. Williams) say that the militia were no longer necessary now that we had the Volunteers. That, however, was a great mistake. The Volunteers could never perform the same duty as the militia, except if this country should be attacked, and they fought side by side. He remembered the Duke of Wellington, upon the second reading of the Bill under which the present militia was constituted, saying that about 1810 and 1811 no force could be better than the militia for Her Majesty's troops. Some of the militia regiments raised under the ballot volunteered for the Peninsular war. At the time of the Crimean war the original force which embarked for the Crimea was about 25,000 men, and during the progress of hostilities the militia sent some 34,000; and not only that, but they enabled us to send on our troops from Gibraltar and the Mediterranean, and did the garrison duty of this country. And now they would be enabled to do more by the proposal of the right hon. Gentleman. The right hon. Gentleman had alluded to the reluctance of militia colonels to receive men from the line. For himself, he could say he would be very glad to have such an addition, for they might be made extremely useful as non-commissioned officers, and he would have no fear of being unable to keep them in order. Again, it had been said that some colonels of militia did not like to give their men. But this he would say, that if it were pointed out to them as a duty, it would be performed with zeal, and he hoped to the benefit of the country.

Mr. WHITBREAD said, that as a Member of the Commission appointed to inquire into this subject, he should like to say a few words in reference to it. He thought that much of the criticism which had been passed on the Report of the Royal Commission had arisen from a misapprehension of the scope of the inquiry which was intrusted to them. They had been censured for not having included in their recommendations a plan for forming an army of reserve, and the noble Lord (the Marquess of Hartington) had attributed their not having gone so far on this point as some desired to a change having occurred in public opinion subsequent to their appointment. The censure was most unjust. The fact was, as was shown by the noble Lord's own letter, and by the terms of their appointment, that the scope of their inquiry was limited to the consideration of two questions, how the deficiency in the supply of recruits was to be met, and whether it was desirable to maintain the Limited Enlistment Act or to fall back on the old system of enlistment for life. It was true that they were also directed to consider the means of maintaining a hold over the ten years' men who were disinclined to remain in the army, and whether they should be formed into a reserve, as to which the Commission reported that it was desirable to keep them in the regular army; but the question of forming an army of reserve only arose after the Prussian campaign, and therefore could not have been included within their inquiry. Every Member of the Commission must have been convinced of the extreme desirability not only of enlisting more recruits, but of widening the field from which they were drawn; for the present system, to use the mildest term, was very discreditable, and nobody could read the evidence which had been given on the subject without a sense of shame. The recruits were, in fact, said to be drawn from the very lowest classes. There were two aspects in which the question ought to be regarded—from the soldiers' and from the civilians' point of view. The grievances of the soldier were very small, so small that they might be called irritating sores rather than grievances. But although very small taken separately, yet being endured day by day they caused a worrying sense of irritation which became at last a serious grievance. Upon this point he attached greater weight to the evidence of the soldier than to that of the most experienced officers. Great irritation was felt at the different stoppages to which the soldier was subject. There was not a man who did not lay stress upon it; and many of the officers did the same. The men said they never knew when they had got 2*d.* in their pockets, or what they would have to-morrow, or what they could depend upon. First and foremost was the stoppage for the "shell" or fatigue jacket. There was some foundation for this grievance. They made a man work in a certain coat, and did not allow him to wear one made of a material that would last the longest and be the most serviceable to him; but he was compelled to wear it and keep it in repair, however strongly he might feel that it was not suited to the work he had to do in it. And then, out of a soldier's 2*d.* or 2½*d.* a day, they put a stoppage upon him to renew this jacket. There were several other items of stoppage which it would be much wiser to abandon. The meat was certainly complained of by the cavalry and the artillery. These were illustrations of the soldiers' grievances; he felt the pressure of them every day of his life, and it was a mistake to imagine that an increase of 2*d.* a day in his pay would remove them. He was afraid that after an enormous expense of between £300,000 and £400,000 had been incurred, the grievances would remain where they were before, and the House would still have to redress them. He was rather afraid that the right hon. Gentleman would then have to give 2*d.* a day and what the Commissioners recommended for stoppages and meat besides. This question of 1*d.* or 2*d.* a day additional was, however, in his opinion a very superficial way of looking at the subject. It was necessary to go much further and deeper into it. A very serious question and one which required an answer was, how it came about that there was so great an indisposition on the part of the labouring classes in this country to see their relatives enlisting into the army. How came it that a profession to which the upper classes were proud that their sons should belong, and which they regarded as the highest in the country, should be looked upon by the poorer classes with so much aversion? He could not pretend to answer this question offhand; but it behoved the House to see whether they could not remove some of the causes which made the army unpopular. It was lamentable to reflect upon the class from which the recruits were drawn. One recruiting sergeant said his recruits were always young men who had either got into trouble or were out of work, or who had come up from the country and failed to obtain employment. Another declared that recruits were the refuse of the population, who fled into the army as a place of refuge. The army was avoided by men of steady character and industrious habits. Was that a state of things creditable to this country? None of the explanations that were sometimes advanced was adequate to account for it. It could not be, as some thought, because parents did not like to see their sons expatriated? The same objection applied to officers, but the parents of officers made no objection to their sons going abroad with their regiments. Nor did he believe that the state of the labour market was the cause; because where the army competed with the labour market on even terms, it failed to draw recruits. A soldier was better off, in many respects, than an agricultural labourer. He had more meat, was better housed and fed; and the labourer, after twenty years' service, had no pension to fall back upon; yet the agricultural labourer refused to be a soldier. Nor could it be said that the martial ardour of the nation had fallen into decay, or that the prospect of expatriation was distasteful, for the officers of the army showed no dislike to foreign service, and the well-filled ranks of the Volunteers gave no countenance to the suggestion that Englishmen had lost the warlike spirit of their forefathers. He was pleased with much that had fallen from the right hon. Gentleman on this subject; but with nothing more than his remarks on the subject of employing soldiers in industrial occupations. One of the great objections to a soldier's life was its terrible monotony, the eternal round of drill, from one year's end to another. He honoured those officers who worked so hard to find amusement, and to open reading rooms, for their men; but soldiers wanted something besides drill and amusement. They wanted some employment to occupy them. He was sorry, on the other hand, to hear the right hon. Gentleman pass over, with so much brevity, the recommendation of the Recruiting Commissioners for the enlistment of boys. The House would remember that, a few years ago, the navy was worse off than the army now was for recruits. The House was then recommended to adopt a plan by which boys, who were too young to enter the naval service, received a year's training. That plan had been a magnificent success. There was hardly an officer of the navy who did not bear testimony to the wonderful alteration since that system was adopted. The Commissioners recommended a somewhat analogous plan for the army. The right hon. Gentleman had merely remarked, on this recommendation, that the boys would cost £30 a year, and that this would be a very expensive way of getting recruits. Including buildings, the estimate might not be excessive; but the House must remember the difference which a year and a half's training would make in completing the education of the soldier. The lads would be taught to mend their own clothes, to handle a spade, and to do many of those things which a Continental soldier was able to do, but which were now done for our troops by others. He would be introduced into the army a complete soldier, instead of a raw recruit, who had to be taught everything, and be drilled, by slow and tedious process, into soldiers. No comparison could be instituted between a boy who entered at sixteen, and was turned out at seventeen and a half years of age, and who cost £45, and a recruit who was picked up in Charles Street; but he hoped the right hon. and gallant General would give some further consideration to the matter, which was well deserving of the serious attention of the House. The question of inducing men to enter the army was all the more grave, because an army of reserve would increase the necessity for recruits, which there would be still more difficulty in obtaining, as the price of labour rose. The present system of recruiting could not continue, for it was such that the Commission used only a mild term, when they spoke of "inveigling young men into the army." The more the evidence was read, the more necessary would it be to represent to the recruit the real terms of the service, for two men, well qualified to form a correct opinion, declared to the Commission that so great was the mistrust inspired by past deceptions, that the recruiting sergeant would not be believed even if he were able to refer to an authoritative statement on paper of the terms of the service. It was high time for the War Office to see that recruiting was conducted more satisfactorily.

Lord HOTHAM said, that no apology was needed by the hon. Member for Bedford (Mr. Whitbread) for speaking as a civilian on a subject so important; and considering the calm and temperate manner in which his remarks had been made, and the good feeling by which they had been characterized, they could not fail to commend themselves to great attention. In a great deal of what had been said by the hon. Member he entirely concurred, and particularly in what he had said about stoppages. He believed there was nothing more annoying to a soldier than to be constantly subject to stoppages, their frequency, and the uncertainty as to their amount, created a bad feeling which it was impossible to over-estimate. On the recommendation of a Royal Commission, over which he (Lord Hotham) presided some years ago, many of these stoppages had been done away with altogether, and the more they could be reduced the better. With respect to the description of persons who were now enlisted in Her Majesty's service, he should be very glad if the improvements which had been suggested could be carried out. The man who could discover a mode of enlisting a better description of men would be a great public benefactor; but although it might not be impossible to make such a discovery, the matter was attended with more difficulties then the hon. Member for Bedford seemed to imagine. He did not intend to enter into any discussion as to whether the Commission had or had not fully carried out its instructions. He was appointed some years ago to serve on a Royal Commission, and the first thing he was told was that he must not recommend anything likely to cause an increase of expenditure; and it rarely happened that any Royal Commission so appointed found itself able to go either as far as it desired or those whom it concerned expected. The main point in the discussion had turned on the Supplementary Vote which had been proposed by the right hon. Gentleman. Now, on the point of recruiting, which had formed the principal topic of discussion, he would merely allude to two or three matters on which his right hon. Friend was disposed to follow the recommendations of the Commissioners. First, as to the abrogation of the Ten Year's Enlistment Act. When that Bill was introduced by Lord Dalhousie one of its objects was to enable a man to retire from the service at the end of ten years at such an age and in such a state of health as to enable him to become a good and useful citizen, all the better for the training he had undergone. Whether that object had been attained or not he would not say; but he had always entertained the opinion that enlistment for ten years would not be satisfactory in a military point of view, and the alteration proposed afforded a justification for his having voted in every division against Lord Dalhousie's Bill. The right hon. Gentleman had stated his intention of allowing the enlistment of men for general service instead of enlisting them for particular regiments. Under the present system every man had the right of enlisting into any regiment he might select, and there was no power of removing him into another against his will. Now, while he approved this arrangement, he never could see why that large number of recruits who had no preference for any particular regiment should not be enlisted for general service. The right hon. Gentleman had expressed his readiness to abolish the charge for barrack damages, thus removing a source of much irritation and ill-will. He felt a natural satisfaction at this proposal, and also at that to do away with the Ten Year's Enlistment Act, as both changes had been recommended by the Royal Commission over which he (Lord Hotham) presided. There was one other subject on which he wished to make a remark, and that was the military reserve funds. With the exception of the noble Lord opposite and his right hon. Friend, he believed that no one knew fully the meaning of that subject. It involved the receipt and expenditure of large sums of money, by whom or in what manner no other hon. Member knew than those to whom he alluded. When he called the attention of the House to the subject last year his right hon. Friend said it was one which ought to be inquired into by a Committee. If the Army Estimates had been brought forward this year under ordinary circumstances, he should have stated at length the reasons why he considered some inquiry necessary; but observing the position in which the House was now placed, he would content himself with asking his right hon. Friend whether, during the last eight months he had been at the War Office, he had seen any reason to alter the opinion which he last year expressed?

Captain VIVIAN regretted the loss of the right hon. Gentleman, whom he supposed he must now call the late Secretary of State for War, at this particular moment; for, however great might be the abilities of his successor, it was impossible for him at once to make himself master of all the matters connected with military administration. When considerable reforms were required in that administration it was a misfortune that the right hon. Gentleman should have been removed to make room for a right hon. Gentleman who had all his work to learn. So far as he understood the plan which the right hon. Gentleman had propounded that evening, it contained a great deal that was good. The proposed addition of 2*d.* daily to the soldier's pay was a necessary consequence of the state of the labour market; but although this was doubtless a great improvement, it did not touch the main difficulty in regard to recruiting. A better class of recruits was required, as well as a larger number of them; for all the evidence adduced before the Royal Commission showed that the men from whom our troops were drawn were chiefly dullards or idlers, or persons who could find no other employment. He should like to know what thought was present in the mind of the right hon. Gentleman when he conceived the plan of giving 20*s.* to a soldier on furlough who brought home a recruit; but he believed he could pretty well guess what it was. The truth was the army was not popular, and in reality the greatest antagonist of the recruiting sergeant was the soldier on furlough, because he went home and described the irritating sores, as they had been called, from which the soldier suffered, and whose tongue might, perhaps, be to some extent stopped on the subject of his grievances if he were rewarded for obtaining a recruit. But the unpopularity of the army was chiefly owing to a want of proper regard for the comfort and happiness of the soldier; though even if everything possible were done in this respect, there would still be something wanting to make the army a profession which men in the lower ranks of life would willingly embrace. What they had to do was to take away his real grievances, make his life happier, and show him that entering into the army is not self-banishment—do that and he would be far more likely to bring back recruits than now, even with 20*s.* or 25*s.* a piece for them. For his own part, he thought a great error was made when the British and the Indian armies were united, and believed it would be politic to revert to the system of having two armies. There might, for instance, be an army for home service and another for colonial service—the terms for which the men enlisted in each being different. Above all, the present disgraceful system of recruiting ought to be done away with. It was called voluntary enlistment, when the fact was it was a system of kidnapping half-intoxicated youths and those out of work into the service. It was a shame to the country, and the recruiting sergeants themselves were not unfrequently ashamed of the part they had to play. The present scheme was of such magnitude that he felt assured the House would give it the best consideration; but he thought they should forbear expressing any opinion on it at the present moment. But he did not agree with the right hon. and gallant Gentleman, that after they passed the seven Votes they could do little to decrease the Estimates. With regard to the Estimates which had been laid before the House he might point out that the expenditure for the administration of the army exceeded by £5,000 the Vote of last year. It was, he thought, of the utmost importance that everything should be done to find, as far as possible, employment for the soldier which would bring him in money; and while, therefore, for the higher duties of the department it might be necessary to secure the services of well paid clerks, there were others which might very advantageously be discharged by private soldiers, who, instead of a fixed salary, would be content to receive 5*s.* or 6*s.* a day. In that way a considerable saving might be effected and a benefit conferred on the well-conducted soldier which he would appreciate. An auditor had, he might add, been lately appointed to check the accounts at the War Office, with a view to the establishment of a better system of financial control; but he unfortunately did not appear to have been very successful in the attainment of that object. The system on which our army accounts were conducted was one indeed so complicated as to render it utterly impossible to carry it out with any degree of efficiency in time of war. But without adverting further to that point he would ask his right hon. Friend, in conclusion, for some explanation of what he considered an item of unnecessary expenditure in connection with the A and B troops of Royal Engineers who were an offshoot of the Royal Engineers, and who were maintained in order simply to practice pontooning on special days at Aldershot, and included two officers, thirty non-commissioned officers, 474 men, and 307 horses at a cost of something like £35,000 a year. He could not see that that was a necessary expenditure. He trusted that the right hon. and gallant Gentleman opposite would take these circumstances into his consideration.

COLONEL NORTH thought that the Committee was very much indebted to the hon. Member for Bedford (Mr. Whitbread) for his useful remarks, and in none of those remarks was he (Colonel North) more inclined to agree than with those respecting the eternal stoppages—there was nothing more irritating to the soldier. His hon. Friend had mentioned the shell jacket, which was a serious consideration to the soldier. And here he might remark that there was nothing which so much intensified the dislike of soldiers to Aldershot as the constant wear and tear of clothing that occurred there. In garrison towns, too, there were many occasions, such as fires, in which the soldiers exerted themselves most beneficially, but where having injured their clothes they never afterwards received a farthing of compensation. He could not agree with his hon. Friend that soldiers on furlough created great obstacles to recruiting by the accounts they gave of the service; but he believed that great harm was done by the number of disabled soldiers who were scattered over the country, and who, perhaps, having been blinded, or completely broken down by trench work, received only 6*d.*, 9*d.*, or 1*s.* a day for a period of twelve months, after which they were left entirely to their own resources. He knew many such cases in his own neighbourhood; and he believed that nothing was so detrimental to recruiting than that these men should be left to roam about utterly ruined in health and purse. As to having two armies, a home and a colonial one, he did not see how it was practicable; we wanted to have our army in hand, so as to be able to send it, at short notice, to any part of the world. There was the *Trent* affair, for example, when we sent 10,000 men to Canada; we could hardly have done that if our army had been permanently cut in two. We had at best but a small army, and we should have it always ready in case of war. He was afraid he could not go the whole length with his noble Friend the Member for the East Riding (Lord Hotham) on the subject of barrack damages, as there were cases in which wilful damage took place and ought to be paid for; but stoppages under that head should be reduced as much as possible. In the case of men in hospital, who might have wives and families starving outside, he thought the stoppage of 10*d.* a day was monstrously unfair. The noble Lord the late Secretary for War had told them that, for the last few years, the deficiency in recruits had been met by a proportionate reduction of the army. That admission was most important, and the unpleasant inference was that if we persisted in that system the end would be the destruction of our army. In conclusion, he begged to join in the general regret at the retirement of his right hon. and gallant Friend on the Treasury Bench from the post of Minister for War.

MR. HENRY SEYMOUR said, that if we had a reformed House of Commons, chosen by the great mass of the people, a far more efficient and cheaper method of defending the country would be hit upon than that which had been discovered, either by the Horse Guards or the Royal Commission. The Report of the Recruiting Commission had greatly disappointed him; and when he read the petty palliatives recommended in it—such as those relating to washing the sheets, barrack damages, and similar petty matters—he felt inclined to ask, what had the War Department, paid so highly for so many years, been about not to have seen to those things without the necessity for a number of able men sitting many days and examining many witnesses in order to produce such a Report? The subject of the military defences of the country should be dealt with in a more comprehensive spirit than had been shown or suggested by the hon. Member for Bedford (Mr. Whitbread.) Our army costs the largest sum, and produced the smallest results. It ought to be ascertained how many recruits we really required. Were we not enlisting more than we wanted now? How far could we reduce our colonial military expenditure—for we had not tried that yet? Why had not the recommendations of the Committee which sat six years ago been carried out? A great mistake was made six years ago in amalgamating the English and Indian armies. The sooner our steps in that matter were retraced the better. When the colonial and Indian military expenditure was cut down as far as possible, then we should know the number of recruits that were absolutely wanted. The number of our distant fortresses, such as Gibraltar, Malta, and Bermuda, might be advantageously diminished. We ought to have the smallest possible army in time of peace, but with an establishment of such a nature that we could increase it to any amount in time of war. Why did we not take the same steps to improve our army by comparison with foreign armies that other countries did? From America, for instance, there was an officer dispatched to this country to inquire into the details of our army system, to see if the American system, which had already proved so efficient, could not be benefited thereby. We might gain considerable benefit to our own army system by inquiring into the systems which prevailed in France, Prussia, Switzerland, and Russia. He regretted that the Recruiting Commission had been a mere farce, and had entirely failed in its duty. It did not go into the matter thoroughly; and he was sorry to say that we now wanted another Committee or Commission so constituted as to be able to inquire into the whole subject. It was quite impossible for private Members of Parliament to inquire into the system pursued in other countries if the Public Departments would not do it. The scheme proposed by the Secretary for War might be a very good scheme; but he only saw that it greatly increased our expenditure, which had been creeping up from year to year, and which was always increasing, no matter whether Whigs or Tories were in office. At present, in our Public Departments it required six people to do the work of one. There were some vested interests so strong that they entirely overruled the will of any Secretary of State, who was placed in the hands of clerks to such an extent that he scarcely had a will of his own. He regretted that the Secretary for War was quitting office, not that he had introduced any great improvements, but because he had a will of his own. He hoped the House would have soon a general, thorough, and efficient debate upon the whole subject, such as was worthy of the House of Commons and of the country.

COLONEL WILSON-PATTEN thought that as the Secretary for War was quitting his office the best thing to be done was to appoint the hon. Gentleman (Mr. Seymour) to the vacancy, when he could put in practice that which he recommended. He did not think it right to pass over in entire silence the attack just made on the Recruiting Commission by the hon. Member, who also referred to the military systems of different Continental countries, and said that ours was inferior to that of every other country. Those systems were, it was true, wholly different from ours—we had no compulsory service such as existed in every other country in Europe; and as for America, to which the hon. Member likewise alluded, the House needed not to be told that the Americans, in the space of three years, spent £600,000,000 in getting up an army, chiefly because they were not, at the time of need, prepared with a properly-organized force. If all these questions were to be investigated again by a new Commission, all he wished was that the hon. Member himself might be made the Chairman of it. With respect to the scheme of the right hon. and gallant General the late Secretary of War, he must say that, with the hon. Member for Bedford (Mr. Whitbread), he regretted that the suggestion of the Commission regarding the military training of boys had not met with some attention. All the witnesses who spoke respecting the training of boys for the navy testified to the advantage of that system, and said that, with a slight difference in practice, it might be applied with equal advantage to the army. No subject was brought before the Commission more forcibly than that relating to pensions, and the Commission had been criticized severely for recommending that the pension of a man who had served twenty-one years should only be raised from 8*d.* to 10*d.*; and the witnesses had been unanimous in describing the smallness of the pension as one of the greatest obstacles to re-enlisting. The Commission were unanimous in wishing that the soldier should have his pension with the money given to him for good conduct during his service in addition. The Commission did not hold it to be necessary that the rations of all the soldiers in the army should be increased from three-quarters of a pound to 1 lb., but only that the soldiers at home should have it so increased. The evidence on that point was strong. The Commissioners were told that in the Cavalry, the Artillery, and the Sappers and Miners corps, the soldiers were obliged to pay out of their own pocket in order to procure an additional allowance. That statement applied more especially to the Sappers and Miners, whom, it was stated, were obliged to spend in that way every farthing they could spare. The evidence was not so strong with regard to the infantry. Some of the witnesses gave it as their opinion that the infantry ought to have an increase of rations; but there was very general unanimity indeed on the point as regarded the Cavalry, Artillery, and Sappers and Miners, the witnesses stating that an increase was positively necessary, in order to enable the men to perform their arduous duties. For the most part the Commission had to conduct their inquiry in London; but they were told that, if they wanted to get at the truth, they ought to have some of the private soldiers before them. With that view the Commissioners went to Aldershot and the evidence they received there from the private soldiers was most valuable. More candour and independence could not be found in any witnesses. The Commissioners told them that their names would not be given in the Report, but they would be numbered. This course was taken in order that they might give their evidence with the greatest freedom. It would be seen from the printed evidence that those witnesses attached the greatest importance to what were generally known as "grievances"—to the deductions from the bounty, the shell-jacket question, and the deductions for extra clothing. Every one of them agreed in stating that, in no other quarters in the country, was there such wear and tear of clothing as at Aldershot, or where soldiers were subject to such deductions for clothing as they were there. None of them objected to soldiers being deprived of good-conduct pay for offences, but they were unanimous in suggesting that such deprivation should not take place without the approbation of the commanding officer. One of them said that some time ago, when in detachment, he was deprived of it by a subaltern who had not the same experience as his commanding officer of his former good conduct, and that, in consequence of his knowledge on the point, the latter would have found means of punishing him sufficiently without depriving him of his good-conduct pay. He thought his hon. Friend the Member for Poole (Mr. Henry Seymour) could neither have read the Report of the Commission nor heard much of the discussion that evening, or he would not have made some of the observations which he had just addressed to the House. The Commission had arrived at the conclusion that the time must come when these stoppages and other grievances complained of in the army must be dealt with; and their recommendations were directed to doing away with some of these grievances. He submitted to the House that the Commission would scarcely have been justified in going into the reserve question more than they had done. The noble Lord the late Secretary of State for War, in moving the Commission, said, that the average annual deficiencies amounted to 4,500, and the number of recruits to 15,000; and the inquiries of the Commission were directed to ascertaining how the army could best be maintained at its requisite strength. He believed their recommendations would not have been found so expensive as his right hon. Friend seemed to think. The Commissioners never had lost sight of the question of expense to the country involved in any suggestions which they might make. He would not express his entire approbation of the scheme of his right hon. Friend, but he approved it generally, and would willingly give it his support.

The Marquess of HARTINGTON wished to say, by way of explanation, that, bearing in mind the alteration in public opinion, it was not to be wondered at that at the time the Royal Commission was appointed, special reference was not made in the Instructions to the subject of an army of reserve; but, while he admitted that no Special Instructions on the point were given to the Commission, he could not admit that there was anything in the Instructions to prevent them from entering into that subject if they had thought it right to do so. On the contrary, he could not but think that when the question of period of service was before them, and when their attention was also called to the question whether it would be desirable to obtain a hold over the ten years' men, the question of an army of reserve might fairly have been deemed a fit subject for consideration by the Commission.

Sir CHARLES RUSSELL thanked the right hon. and gallant General the Secretary of State for War for the boons he proposed to confer on the soldier. He thought these might justly be called necessary boons; and he believed that the knowledge that something in the direction now indicated was going to be done had already had a good effect on men in the army as well as on men thinking of becoming recruits. He was able to bear testimony that recruiting had of late manifestly improved, from the prevailing notion that the condition of the soldier was about to be improved, and he knew of cases in which soldiers entitled to their discharge had held on because they believed that something for their benefit was about to be put in force. The outline of the scheme which had been propounded would do much to popularise the Service; but of the various benefits which the scheme would confer on the soldier, one had not been referred to in the debate—that was the finding him remunerative employment. It was not only proposed to employ the troops, but to permit them to effect barrack repairs, which at present constituted a very heavy and irksome charge. The charge for repairing a barrack was upon the average £50 per month, and this was an important sum if expended amongst the men of a regiment; and if they permitted the soldier to earn that money by his own industrious labour, they would confer on him one of the greatest boons. A gallant General, at present commanding a district in the South of England, had told him that since he had been permitted to employ a certain number of men in useful labour, paying them properly for it, there had not only been a great improvement in the conduct of the men, but the greatest punishment was debarring them from being placed on the list to be so employed. He really believed if the scheme of the right hon. and gallant General were carried out it would do more to ameliorate the condition of the soldier than at the first blush might appear. It was quite a mistake to suppose that the men would spend the additional money they received in drink. From inquiries he had himself made, he found that not more than one-third of the consumption at the canteen was in drink, two-thirds being spent in bread, cheese, and eating. He believed that by usefully and productively employing the men as much would be done to improve their condition as by the additional *2d.* a day, which, he was glad to think, was to be given to them. In the French army this system was most successfully carried out, and the men were employed in works useful to themselves and to the nation; indeed, some of the fortifications for Paris had been constructed by the military, at one-third less cost than the lowest estimate. He was sorry, however, to find that a jealousy existed lest the soldiers' labour should be brought into competition with civil labour. As an instance, he might state that when Chelsea barracks were building the men connected with the works struck, and as it was very desirable that the edifice should be finished without delay, two companies of soldiers were employed for the purpose. They commenced their labours; but, it being considered that this was putting military and civil labour in competition with each other, the subject was animadverted on in that House, the soldiers were removed, and the strike continued. He thought such a state of matters was to be regretted. In the ranks of the army were to be found men skilled in every conceivable trade, even in that of silvering the backs of mirrors, and he thought it was a pity that such an amount of skilled labour should not be more taken advantage of. If the scheme of the right hon. and gallant General cost the country £500,000, he was satisfied the good it would effect would be cheaply purchased.

Colonel SYKES said, they had had a long discussion, but not a single word had been uttered about economy until the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) rose. The office of an economist in that House was undoubtedly a thankless one; and he could say from experience that nothing short of a miracle could reduce an Estimate. He had been in Parliament ten years, and during the whole of that time the only reduction that had been made in the Estimates as brought forward was a sum of £400 on one of the items connected with the palace of our Ambassador at Constantinople; and on that occasion the Government were taken by surprise and defeated, and an infinitesimal miracle was worked. In 1848 the Army Estimates were £9,723,000; in 1849, £8,881,000; in 1850, £8,900,000; while this year they amounted to £14,700,000. The number of men had been decreased, but the expenditure had increased. The cost for pay and allowances to each man in the British army was £33 15*s.* 3*d.*; but it was only £16 for each man in the French army. This related to pay only; but the Estimates showed that the total cost exceeded £100. The right hon. and gallant Gentleman had said the increase in the Indian depôts could not be helped; increasing, therefore, the pressure upon the Indian taxpayer. But he (Colonel Sykes) would wish to know why 65,000 were required in India at present when 43,000 had been found sufficient to break the neck of the Mutiny and take Delhi before a single company of reinforcements had arrived from Europe. One reason adduced for the increase in the Estimates was the advance in the price of provisions. This was singular; because last year, owing to the great compulsory slaughter of cattle, the markets were glutted, and meat was lower in price than it was the year before. ["No, no!"] Gentlemen said "No, no!" but he referred them to the Leadenhall Market Reports. If this argument was worth anything, it should also hold good in the case of the navy; but this was not the case to a proportionate extent. With regard to the question of recruiting, his own opinion was that the soldier's first term of service should be twelve years; that he should be allowed to marry after that period to induce him to remain in the army; and that at the end of twenty years he should receive his pension, or get a bonus to enable him to set up in trade. The sons of such soldiers, brought up and educated in their father's regiment, would naturally follow their father's footsteps, and also become soldiers. He would suggest that every recruit on entering the army should be induced to put his bounty money into a savings bank, so that at the expiration of his period of service something might be standing to his account. The right hon. and gallant Gentleman said that a regiment coming from abroad 900 strong would be reduced to 600, and that the 300 men who were taken off might be induced to enter the reserve. But he seemed to forget that the regiment so reduced must in turn go abroad again, and for this purpose would require to be advanced to its original strength of 900. The one operation would therefore necessarily balance the other.

Mr. CHILDERS expressed his satisfaction with the statement which the right hon. and gallant Gentleman had made, and his regret that it was the last occasion on which he would make such a statement. He desired to ask the right hon. and gallant Gentleman whether he saw his way to adopt the recommendation made last year by a joint Committee from the Treasury, War Office, and Horse Guards, under which the stoppage of pay to the soldiers would be made uniform, whether he was on furlough, in hospital, or on active duty at home or abroad; and also whether uniformity would be adopted in the issuing of rations? The right hon. and gallant Gentleman omitted to refer to one item of considerable increase—namely, the Vote for half-pay and military allowance to reduced and retired officers of the army. There was a very considerable increase in the amount for the retirement of the officers of the Royal Artillery and the Royal Engineers. This year it was £55,900, whereas last year it was only £48,000. He wished to know whether the right hon. and gallant Gentleman had had under his consideration the system of retirement in the artillery and engineers; and whether he would be prepared to enter into any details as to the future system under which such retirement would be regulated? As to the Engineering train, he (Mr. Childers) was inclined to think, so far from its being an expensive corps, it was a very economical one, and that its maintenance on the present small scale was most necessary.

General PEEL said, the noble Lord opposite the late Secretary for War had asked him why he had separated the Supplementary Estimate from the ordinary Estimates; now he (General Peel) thought the debate that evening afforded the best justification of the course adopted. It was done for the express purpose of placing before the House the new proposition which he had the honour of submitting, and it would be far more convenient to discuss that proposal apart from the ordinary service of the year. If the details connected with this additional *2d.* had been mixed up with the ordinary Estimates, they would only have deceived the House instead of affording an opportunity for full consideration. It was quite possible that when the Supplemental Estimate came forward for discussion some better method of applying the money might be suggested in the course of debate, and an opportunity would thus be afforded of doing so. He had been asked why the soldiers were not now employed in the different trades with which they were acquainted. In reply to his hon. and gallant Friend opposite (Captain Vivian) he was happy to say that soldiers were being largely employed as clerks, and the system had been found perfectly successful. He had not appointed a single clerk who was not a soldier, and he was happy to say that they fulfilled their duties very satisfactorily. All the messengers in the lower part of the office were also soldiers. He had listened with the greatest possible attention to all the remarks offered that night, and he was only sorry that he was not in a position to act upon any of them. He believed the employment of the A and B troop of engineers in the way alluded to was both beneficial and economical. Then lest any false impression should exist, he felt bound to say, on the subject of barrack damages, that what the Government proposed was, if possible, to employ soldiers to repair their own barrack damages, not to do away with those damages altogether. He was glad to say, in answer to one question that had been raised, that new musketry instructions had been issued, which would tend greatly to reduce the drill of old practised soldiers. The suggestion made with reference to good-conduct pay was more for the consideration of the Horse Guards than the War Office; but he might say that the Commander-in-Chief had approved the Commissioners' recommendation upon the matter. In regard to the Army Reserved Fund, the Vote appeared to be dying a natural death. He agreed with his noble Friend in thinking that that was a question which deserved the attention of the Government and that House, because it affected very materially the system of purchase in the army. The more commissions they had to give away at Sandhurst the more they would be promoting the interests of the army. The price of the old cavalry commissions, which was higher than that of the infantry commissions, was now put upon the same footing, and the difference paid out of the Reserve Fund, which might render it necessary to retain it. The Commissioners' Report on Recruiting had been subjected to much adverse comment during the debate; but he thought the Commissioners deserved great praise for the way in which they had conducted their inquiries, and also for the value of their suggestions. He had listened, however, with great attention to all the remarks which had been made during the discussion, and promised to impress upon his successor the necessity for considering, and, if possible, carrying out the many suggestions which had been made.

MR. AYRTON said, the right hon. and gallant Gentleman had omitted to answer the question whether the plan he proposed would have the effect of altering the law relating to the militia or the other law for the organization of the army; and, if so, whether the Bill for the plan would be laid before the House before the proposal was considered?

GENERAL PEEL: Certainly; any Bill to carry out the recommendations I propose in regard to the reserve force will be laid before the House previous to the subject being discussed.

Vote *agreed to.*

House *resumed.*

Resolution to be reported *To-morrow;* Committee to sit again *To-morrow.*

METROPOLITAN POOR BILL—[BILL 9.]

(*Mr. Gathorne Hardy, Mr. Earle.*)

COMMITTEE.

Order for Committee read.

MR. GATHORNE HARDY, in moving that the House should go into Committee upon the Bill, said, that at that late hour he would not proceed with the discussion of the clauses. He only asked that they should go into Committee *pro formâ,* in order that the Bill with the Amendments on the paper might be re-printed. In respect to the buildings and works to be raised under the Bill, it was desirable the House should come to a conclusion upon it as speedily as possible. He hoped, then, that the House would be prepared to proceed with it to-morrow.

Bill *considered* in Committee.

Bill *reported;* to be *printed,* as amended [Bill 66]; re-committed for *To-morrow.*

UNIFORMITY ACT AMENDMENT BILL.

LEAVE. FIRST READING.

Bill *considered* in Committee.

(In the Committee.)

MR. FAWCETT moved for leave to bring in a Bill to repeal certain portions of the Act of Uniformity relating to Fellows of Colleges, and said, that the Bill was the same in form as the Bill introduced last year by Mr. Bouverie. He added, that at a future stage he should move the addition of clauses to place Roman Catholics upon the same footing as members of other religious bodies.

MR. KINNAIRD thought that the whole Act of Uniformity wanted looking into.

Resolved, That the Chairman be directed to move the House, that leave be given to bring in a Bill to repeal certain portions of the Act of Uniformity relating to Fellows of Colleges.

Resolution *reported:* — Bill *ordered* to be brought in by Mr. Fawcett and Mr. Bouverie.

Bill *presented,* and read the first time. [Bill 68.]

WAYS AND MEANS.

Resolution [March 6] *reported.*

"That, towards making good the Supply granted to Her Majesty for the Service of the years ending on the 31st day of March 1866 and the 31st day of March 1867, the sum of £369,118 5*s.* 6*d.* be granted out of the Consolidated Fund of the United Kingdom of Great Britain and Ireland."

Resolution *agreed to:*—Bill *ordered* to be brought in by Mr. Dodson, Mr. Chancellor of the Exchequer, and Mr. Hunt.

Bill *presented,* and read the first time.

CHESTER COURTS BILL.

On Motion of Earl Grosvenor, Bill to authorize the Quarter Sessions of the Peace for the borough and city of Chester and county of the same city, and the Portmote and Pentice Courts for the city of Chester, to be held at the Castle of Chester, *ordered* to be brought in by Earl Grosvenor and Mr. William Henry Gladstone.

Bill *presented,* and read the first time. [Bill 69.]

House adjourned at half after Eleven o'clock.

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HOUSE OF LORDS,

Friday, March 8, 1867.

MINUTES.]—Select Committee — On Traffic Regulation (Metropolis) *Report.*

Public Bills—*Report*—Traffic Regulation (Metropolis) * (5).

Third Reading — Public Schools (29); Marriages (Odessa) * (30), and *passed.*

DISTURBANCES IN IRELAND.

QUESTION.

The Marquess of CLANRICARDE asked the noble Lord at the head of the Government for any information he might have received from Ireland.

The Earl of DERBY: I have not received anything from Ireland this morning; but I requested the Secretary of State for the Home Department to send to me here the latest information he might have received, and I have this instant received from him this telegram—

"No important event reported, except at Kilteely, eight miles from Limerick Junction, where a number of men are assembled. Troops have gone to the place. Some farmhouses and barns have been robbed in the neighbourhood of Abbeyfeale. The neighbourhood of Dublin, including Drogheda, tranquil."

The telegram is without date.

INSURRECTION IN CRETE.

MOTION FOR PAPERS.

The Duke of ARGYLL, in rising to move for a Copy of a Note addressed to the Porte by the Three Powers, Great Britain, France, and Russia, on the 8th of April, 1830; and to call the attention of the House to the Papers (presented to Parliament by Her Majesty's command) respecting the late Insurrection in the Island of Crete, said: My Lords, having read with very close attention the Papers which have been laid upon the table of your Lordships' House, I confess I am compelled to question the propriety of the course pursued by Her Majesty's Government upon one point, but upon one point only. The advice given by Her Majesty's Government to the Government of the Porte has on all occasions been timely, just, and humane; and I think I may add that as regards the suggestion made by the noble Lord at the head of the Foreign Office for the settlement of the Cretan question—as far, at least, as the question can be settled under present circumstances — I really do not know that any better suggestion could have been made. My objection to the course taken by Her Majesty's Government has reference, as I have already stated, to one point alone; but that point appears to me to be of so great importance, not only in itself, but also as regards the principles connected with it, that I felt it incumbent upon me to bring it under the consideration of your Lordships; and I think I shall best do so first by giving to your Lordships a short narrative of events, not necessarily in the order in which they occurred, but in the order in which they became known to Her Majesty's Government; and secondly, by directing the attention of your Lordships to the general principles to be applied to those events. But, before doing so, there are one or two observations of a general character which I trust I may be allowed to make upon this question. We all know that the Christian provinces of Turkey are in a state of chronic disaffection and of occasional insurrection; nor need I explain to the House what the causes of that disaffection are. First of all, there is the fact which is alluded to and dwelt upon by the noble Lord at the head of the Foreign Office in these despatches—namely, that in these provinces there is a large majority of Christians, having no share whatever in the government, but ruled over by a Mussulman minority. Secondly, there is the fact that in these provinces there are generally great and real and practical grievances suffered by the people. And lastly, there is the fact of a free Greece, which, however ill-governed it may be—and I believe that next to Turkey it is perhaps the worst-governed country in Europe — is in close proximity to those provinces; while such is human nature that men prefer almost any grievances to the state of subjection in which these provinces are now placed. Whenever an insurrection occurs in the Christian provinces of Turkey we are always told by the partisans of Greece that the inhabitants are groaning under innumerable practical grievances; and, on the other hand, we are always told by the partizans of Turkey that the people had no grievances whatever to complain of, but that the insurrection has been entirely raised by the Greek nation. Now, I believe the truth lies between these two statements. You cannot separate the exclusive dominion of a Mussulman majority, the practical grievances which the Christian inhabitants labour under, and the example of free Greece. These causes act and re-act, and you cannot separate them, because each one of them has had some share in producing the insurrections which have taken place from time to time. Now, as to the grievances complained of, let me, in passing, make one remark. Even in those cases where the Turkish Government means to act fairly the administration under that Government is generally so bad and corrupt as to perpetuate those grievances rather than redress them. I need not state to you in detail the nature of those grievances, because they are stated in this blue book; and the very same grievances have uniformly been complained of by the inhabitants of all the Christian provinces in Turkey. The principal are excessive taxation of farmings of the revenue of compulsory ports of export, to which there were bad roads; but, above all, there is a universal allegation that the promise made to the Christian population in 1856, in the face of all Europe, in reference to the perfect equality before the law of Christian and Mussulman, is a promise which has not been kept. Under these circumstances, I fear we must look for frequent insurrections. And now let me say one word with regard to the spirit and temper with which we ought to regard such insurrections when they do arise. I will venture to say that every Government in this country must desire to stave off as far as it can what is called the Eastern question. But every one of these insurrections is calculated to raise the question which every statesman in this country must be desirous to postpone. This is a natural feeling on the part of every Foreign Minister, and to a certain extent it is legitimate. All I say is that when insurrections do take place, as they will do in the Christian provinces of Turkey, we should remember the high probability that they are justified by the grievances which the Christian populations have to endure. Indeed, we know that under the Turkish Government such grievances must exist. If we had to endure even a thousandth part of those grievances we should be rising against the governing power, and therefore we ought always to look upon these insurrections as only a natural attempt on the part of the people to throw off a government which to them is certainly odious, and to a large extent really oppressive. Therefore, we ought not to regard these insurrections solely in a selfish spirit, or merely as injuries to ourselves because of their inconvenience. It must necessarily be inconvenient to have the Eastern question raised; but still, when these insurrections occur we are bound to look that question in the face and to perform our duty, whatever it may be, after due consideration and reflection. My Lords, I do not make this remark in reference to any despatch which has proceeded from the British Government. Indeed, the tone of those despatches has been uniformly gentle, considerate, and humane. But I regret to find in the blue book some remarks of a French diplomatist which do not appear to me to be deserving the same praise. Having said thus much, I will narrate to the House the circumstances respecting this Cretan insurrection. The disaffection and the discontent of the people of Crete have been, as your Lordships are aware, of long standing. I think that, since the year 1830, there have been two or three insurrections, and several assemblages of people which almost amounted to insurrections, and which compelled the Turkish Government to make some concessions. Very early in 1866 these feelings of discontent seem to have reached a head, and in the month of May, I believe, the Christian inhabitants assembled, as they are accustomed to do in Crete, in large bodies, and addressed to the Sultan a petition complaining of their grievances, and, in perfectly respectful language, asking for redress. Now, as far as I can learn, the allegations contained in that petition have never been contradicted. Well, no answer was given to that petition by the Government at Constantinople for a period of between two and three months; and when at last the reply did come, it was in the shape of an order to the inhabitants to disperse and lay down their arms—for I ought to have mentioned, that the Cretans always go armed—but no promise was given that any of the grievances complained of should be redressed. On this point I will read the opinion of Lord Lyons, our Minister at Constantinople—and certainly Lord Lyons was not the man to overstate the matter. On the contrary, he would be likely to mean a little more than he said. His words were—

> "The instruction contains a peremptory summons to the Christians to disperse, but they do not hold out much hope that the grievances alledged in the Memorial will be seriously examined or redressed."—p. 27.

Well, when that answer arrived in Crete the assembly broke up, took up arms, and betook themselves to the mountains, where a few days afterwards they expressed their determination to fight for their own independence and their annexation to the kingdom of Greece. That happened in the beginning of September. Here, however, I wish to remark—what ought always to be borne in mind—that all these wars in the Christian provinces of Turkey assume an internecine character. They are emphatically savage wars, embittered by the antagonism of race against race, and religion against religion, and the most terrible brutalities are committed on both sides. There is always one special circumstance which aggravates very much the horrors of war, and that on the side of the Turks. In putting down such insurrections the Turkish Government employs not only their regular troops, but also Albanians, Circassians, and other semi-savage hordes, whose brutality very far exceeds that of the regular soldiers. This aggravation of the horrors of war does not exist on the part of the native population. So far as I can see in the papers before your Lordships' House, the intentions of the Turkish Government—by that I mean of the few enlightened Turks who form the Government at Constantinople—are, on the whole, humane. In the blue book there is repeated mention of instances in which volunteers from Greece, who, having been interfering in the war and having been caught by the Turkish troops, were treated in a most humane manner by Mustapha Pasha; and I find cases too, I rejoice to say, in which Egyptian officers who had been interfering, as the Cretans had a right to think unduly, were treated by the Christian population in the most humane and handsome manner, after the latter had captured them and thus got them into their power. It appears that it was on the 22nd of September Her Majesty's Government first heard that the insurrection had assumed the character of a civil war. Instructions were at once issued by the Foreign Office, in which it was laid down that we should pursue a course of complete neutrality between the two parties. On the 29th of September our Government heard that the Turkish Government had landed in Crete between 5,000 and 6,000 of those mercenary troops to which I have referred. On the 2nd of October Her Majesty's Government heard from Consul Dickson at Crete that murder and rapine prevailed over the island, and that there was a general flight from all the villages of such of the Christian families as could escape to the neighbouring country of Greece. On the 9th of October Her Majesty's Government heard that 1,200 more Albanian mercenaries were to be hired by the Turkish Government, and let loose on the Christian population of Crete. On the 12th of October they received from our Minister at Athens a despatch which I think must have opened their eyes to the spirit in which this war was too likely to be conducted. Mr. Erskine writes—

> "I am informed by the French flag-captain on this station that there is so much ill-feeling towards all Christians, on the part of the Egyptian troops in Crete, that even the commander of the French gunboat *Biche* was insulted by some of these men, when on shore in Suda Bay; and that to avoid the repetition of such conduct, the Turkish Admiral has undertaken to send off water to the *Biche*, and thus prevent the necessity for the landing of her crew. If such be the conduct

of the Egyptians towards the French sailors, it is quite conceivable that they may have been guilty of any of the excesses against native Christians, which have been laid to their charge."—p. 52.

My Lords, on the 20th of October the Government heard of another most significant fact. Your Lordships are probably aware that about one-fourth of the inhabitants of the island of Crete are Mussulmans. In consequence of what was actually going on, and of what was coming, the Mussulman authorities were taking care that the Mussulman women and children should be put out of reach of the war. Of this the Government were informed by Lord Lyons in his despatch of that date. On the 26th they were informed by Mr. Erskine that Consul General Saunders had reported to the Government that mercenaries were being shipped from Albania for the purpose of carrying on the war against Crete; and he added, that the Porte would do well to reflect before having recourse to the assistance of these reckless, sanguinary mercenaries; that even any momentary success obtained through their agency might be dearly purchased by the additional exasperation which could not fail to be imported into the conflict by the use of such allies. On the same day the Government heard from Lord Lyons his opinion, that the contest was being carried on with an animosity on both sides productive of most deplorable consequences. On the same day the Government received the first petition from the Cretans, praying that Her Majesty's ships might be allowed to remove from Crete any Christian women and children who might escape to the shore and find refuge on board ship. Three days after that petition was received the noble Lord the Foreign Secretary—of course, after consultation with the Government—despatched his first refusal to allow Her Majesty's ships to remove those women aud children. The noble Lord's refusal was founded on the ground that to do so would be virtually a violation of the principle of neutrality. I think it only fair to say, with reference to the course taken by Her Majesty's Government, that the request had come through a channel that was most objectionable. The Cretan people petitioned, through the King of Greece, asking His Majesty to use his influence with the protecting Powers to send ships for the purpose to which I have alluded. Again, up to that time—whatever might be the probabilities of the future—Her Majesty's Government had not heard of any fact showing that any attack had been made, or was intended to be made, on the women and children. Therefore, though I cannot agree in the conclusion at which they arrived, I can understand the principle upon which they acted. But, my Lords, whilst this direct refusal to comply with the prayer of the petition was sent to Greece, no discretion was given to our local authorities on the spot—no instructions were given to Lord Lyons to the effect that he might exercise his own discretion in extreme cases; no directions were given to Consul Dickson, a person of the highest character, that under circumstances of an urgent character he might exercise his own judgment in respect of those unfortunate people. No such direction was given to our local authorities, but a simple blank refusal was returned to the petition. On the 31st of October Her Majesty's Government heard from Consul Dickson that whole villages were being destroyed, and of specific acts of atrocity with which he would not trouble the House. On the 6th of November there was an account of the wholesale burning of, I think, ten or twelve Christian villages; and on the 9th of November Her Majesty's Government heard from Lord Lyons that he had remonstrated with the Porte against the employment of those sanguinary mercenaries. On the 11th of November they received this news from Mr. Erskine—

"M. Manos, an officer in the Greek artillery, who was taken prisoner in the redoubt at Vrysses, has written to his family to say that he has been most humanely, and even generously, treated by Mustapha Pasha, to whom he stated that, for three days before the engagement, neither he nor his companions had tasted food. Another officer, Colonel Zimbrakaki, writes that, in the mountains, the unfortunate women and children are dying by scores every night from want and exposure, many of the poor creatures being literally without covering of any sort. Another, a German volunteer, endeavours to comfort his friends by the assurance that there is but little danger of his being shot, as the insurgents are careful to keep at a respectful distance from the enemy. On the other hand, I have seen letters from three different persons in Candia, all foreigners, who speak of the conduct of the Turkish and Egyptian troops as simply atrocious. One gentleman describes the massacre of 200 persons, chiefly old men, women, and children, and the barbarities committed by the troops as beyond all belief. Another states that the Turks refused all quarter to the Christians, and mercilessly chopped off the heads of the unfortunate wounded as well as dead, a reward of 100 lira having been offered for each head thus brought to the camp. The writer of this letter adds, it is true, that similar barbarities are committed by the Christians. If these statements at all resemble the truth, it may be conceived how difficult it will be ever to reconcile the Christians to the Turkish rule, or to persuade them to live harmoniously with native Mussulmans whom they accuse of such horrors."—p. 93.

On the 14th of November the Government heard from Consul Dickson of the severe privations which the poor Christian families were suffering in the mountains. On the 17th of November Consul Lloyd reported to the same effect from Syra. Now, on the same day, 17th November, the Government, in a despatch from Lord Lyons, heard what course he was disposed to take under the circumstances of the case. Lord Lyons had been informed of the nature of the petition sent to England, and he says—

"The original of Mr. Erskine's despatch must have been in your Lordships' hands before the copy of it reached me; and had this been otherwise it would have been beyond my province to decide upon the prayer of the petition, and out of my power to give effect to it. I have, however, lost no opportunity of pressing upon the Porte the importance of taking thought for the families deprived of food and shelter, and I have sent instructions to Her Majesty's Consul in Crete to urge the Ottoman authorities to take, *and to take himself, every feasible and proper measure to save the women and children not only from insult or injury, but also from hunger and cold.*"—p. 97.

Now, my Lords, it appears from that despatch that on receipt of the petition at Constantinople Lord Lyons, knowing the character of those mercenary troops who had been let loose, had not contented himself with making representations to the Porte, but had sent those instructions to the Consul at Crete, which left him a wide discretion, and gave him powers of independent action. On the 6th of December, a fortnight after the last despatch, the Government heard that Consul Dickson, acting under the orders of Lord Lyons, had placed himself in immediate communication with the commander of one of the gunboats on the station, with a view to relieve persons upon the coast; but he had hardly done so when the order from home arrived that perfect neutrality was to be maintained, and the interpretation put upon that was that no such step should be taken. Consul Dickson also, on receipt of the order, and finding that there were at the moment no specific applications from families wishing to be taken off, cancelled the orders which he had given. Six days afterwards, however, the Government heard from Consul Dickson that he had determined to disobey the orders which he had received from them. I wish to direct your Lordships' attention to the remarkable despatch in which he explains the reasons for his conduct. He says—

"During the brief stay here of the Imperial Commissioner and the Commander of the Egyptian contingent, I ventured to make a few remarks officiously to their Excellencies. I stated that the insurrection must have, by this time, attracted the notice of Europe, and every incident connected therewith, whether good or evil, would surely sooner or later be divulged. That although I entertained no doubt of the strict orders issued by the commanders in regard to the maintenance of discipline, and that humanity should not be outraged in any way, there might be instances in which such orders would be disregarded. I alluded more particularly to the treatment of Christians wounded on the field, and when made prisoners, including women and children. That the presence of Bashi-Bazouks with the army appeared to me to be all the more uncalled for, that their unfitness in legitimate warfare had been acknowledged, and the misdeeds they so often committed might reflect seriously on the conduct of the present war."—p. 124.

Further on he refers to the tragedy which took place at the monastery of Arkadi—

"The refectory hall, with its tables and benches, was found intact, but the floor was strewn over with the mangled bodies of Christians, all stripped naked. It is said that the Bashi-Bazouks signally distinguished themselves in that particular act of butchery and plunder. Some women and children have also been massacred."—p. 124.

Another paragraph says—

"All the strict orders and humane exhortations issued by the Imperial Commissioner and his son Salih Pasha have been in many instances unavailing to restrain the infuriated soldiery from acts of barbarism. In the church at Therisso, during the engagement, a priest and a woman were hacked to pieces, and there burnt, the murderers observing at the time that they were only roasting pigs."—p. 125.

He goes on to say—

"In my anxiety to save the lives of some at least of these misguided men, now that the Imperial troops are about to encounter them in their last strongholds at Kissamos and Selino, I have ventured to transgress the instructions conveyed to me by Captain Hillyar (as per my despatch of the 17th ult.), and have now addressed a letter to the commander of Her Majesty's ship *Assurance*. Your Lordship will perceive thereby that the circumstance is one of extreme urgency, and I therefore hope that my conduct may be pardoned."—p. 125.

I have now to direct your Lordships' attention to the report of Commander Pym, acting under orders of Consul Dickson, showing what horrors were prevented, but would have taken place had the instructions from the Home Government been rigidly adhered to. Commander Pym stated that—

> "At the request of Her Majesty's Consul he proceeded on a cruise to the western and south-western coast of Crete, for the purpose of affording shelter to any person whose life might be endangered by the part he had taken in the civil war now raging in that island; that, on his anchoring at Selino Castelli on the 10th inst., he was requested to take off a number of women and children and wounded men, who were living in caves and grottoes in the mountains, and whose lives would certainly be forfeited in the event of Mustapha Pasha defeating the body of insurgents now defending the mountain passes of Selino, only two hours off. Commander Pym felt so persuaded that these unfortunate persons would either perish from exposure or would be massacred by the Turks, that he consented to carry off as many as his vessel could contain, and he eventually embarked 25 men (all wounded or maimed), 160 women, and the rest children. Many more would have come if there had been room for them, and, in fact, about 1,000 more are now waiting at Suja, in the hope that the *Assurance* will go back and rescue them."

In consequence of the instructions given by Consul Dickson, and carried out by Commander Pym, we find that between 300 and 400 persons were thus providentially rescued by the agency of that British vessel. In a few days afterwards the Government were informed by Mr. Erskine of their arrival at Athens in a state of extreme destitution. It is worthy of remark that at that time the Turks spoke of the removal as a proceeding to which they had no objection. They entered no protest whatever against it, believing that Consul Dickson was simply acting on a principle of humanity, and knowing that instructions in that sense had been sent to him some time before by Lord Lyons. But as soon as they heard of the counter instructions from the Government at home to Lord Lyons and our Consuls, they of course began to express objections to the course that had been pursued. On the 29th of December a second request to sanction the removal of some of these people reached the Government, this time from Lord John Hay, who was connected with a charitable fund for their relief. Addressing the noble Lord the Foreign Secretary, he said—

> "If you could send a ship, or let one call round the coast with, if necessary, a Turkish official on board, in order to carry off these people, the last difficulty would have been disposed of."—p. 134.

The people referred to in that letter were about 1,000 women and children, who were anxiously awaiting the return of Her Majesty's ship *Assurance* at Selino. On the 2nd of January the Government again refused, and on the same grounds. On the 4th of January the Government again received from Lord Lyons the expression of his opinion as to the inhumanity with which the war was characterized. On the 7th of January, Consul Dickson's defence of his own conduct and account of the grounds upon which he had acted was received. That gentleman referred to the attitude and language of the Turkish Government, and then proceeded to say—

> "All the above-stated considerations, however serious they might be, had no weight on my conscience when I felt the cries of humanity were at stake. After the heartrending accounts that reached me of the tragic affair at Arkadi, and seeing despite my remonstrances, and contrary to the wishes even of Mustapha Pasha, that a host of Bashi-Bazouks (with a strong sprinkling of Seliniotes burning with the desire to expel from their homes the Giaour intruders) was swelling the expeditionary force as it marched on to Selino; these appeared to me cogent reasons for despatching the *Assurance* on Her Majesty's service. The Imperial Government, and I trust your Lordship likewise, are sufficiently satisfied with the conduct I have observed hitherto, and even long before the insurrection broke out to need any further protestations of loyalty on my part. For while I have always deemed it a duty to uphold the legitimate authority of the Sultan, I equally desire to see the general system in operation make way for a more enlightened Turkish Administration in Crete, conducted on Christian principles."—p. 144.

I cannot, my Lords, offer these observations without expressing my sincere admiration of the conduct of Consul Dickson under these circumstances. His conduct did him the highest honour, and showed an amount of moral courage of which few men would have been capable. There were many men who would face any danger in war who would not have done what Consul Dickson has done. For myself, I admire the act of Consul Dickson more than I do the act of Nelson, when before the batteries of Copenhagen he refused to see the signal of recall. On the 8th of January Lord Stanley answered the letter of Consul Dickson, saying, as to the removal of the wounded men and women, and children, desirous of leaving the island—

> "I had been under the impression that this operation took place with the entire sanction of the Turkish authority, but, from the enclosures in your letter, there seems some doubt in the matter. But, be that as it may, I am willing to make every allowance for the motives by which you were actuated; and, although the proceeding was perhaps in strictness open to objection as being not altogether consistent with the neutrality of the British Government in regard to the contest in Crete, yet, looking to all the circumstances of the case, and to the difficulty of your

> position, I will not disapprove your conduct."—p. 150.

The circumstances of the case! But were not those circumstances precisely such as the Government knew Consul Dickson would certainly, or at least in all probability be placed? It appears to me that if, under those circumstances, the conduct of Consul Dickson was held to be justifiable, acting, as he did, in direct opposition to the orders of the Government, it is a clear proof that those orders had been wrong—or at least too stringent. They ought at least to have vested in him all the discretionary power compatible with the circumstances of the case. Lord Stanley goes on to say—

> "I will only further express my hope that you will carefully avoid being led into any course of action incompatible with the neutral character which it is incumbent on you to uphold."—p. 150.

Now, considering that it was known that other women and children were hoping that they would be carried away as their companions had been, I maintain that some more definite instructions than these should have been sent to Consul Dickson with reference to them. No instruction whatever was sent to him; he was simply given a general order to maintain neutrality. This was placing Consul Dickson in a position hardly fair to a public servant; because, although he knew that the Government had at first deemed the removal of women and children a violation of neutrality, he also knew that when they came to know what he had done they declined to disapprove his conduct. He was therefore left in a most embarrassing position, with most ambiguous instructions, and the whole circumstances of his situation were trying in the extreme. On the 14th January the Government heard from Lord Lyons certain information which proves that the English Government was in the whole of this matter far more Turkish than the Government at Constantinople. In the last paragraph I read—

> "Aali Pasha has not made any remonstrance to me against the proceeding of Her Majesty's ship *Assurance*, and I have not been desirous of bringing on a discussion of the subject with him. I contented myself yesterday with observing that if, in fact, the insurrection was completely suppressed, the removal of dangerous characters and of destitute women and children must be a benefit to all parties."—p. 152.

This is dated the 2nd of January, so that at that time the Turkish Government knew what Consul Dickson had done, and that the Russian Government was about to follow the example he had set; this knowledge, however, led to no remonstrance whatever, and it appears to me that if, instead of acting against the instructions of his Government, Consul Dickson had acted with them, the Turkish Government would have had quite as little ground to consider what actually occurred as a violation of neutrality. Immediately afterwards the Government heard that the action of Her Majesty's ship *Assurance* had very naturally drawn to the shore a number of women and children, scantily dressed, and half starved, in the hope they would be afforded protection in the same way as the others. In the mountains whence they had come they were able to secure a scanty maintenance; but on the shore they had absolutely nothing. Thus they were entrapped into a worse position than before, simply because no further instructions had been sent out to the Consul. These unfortunate women were left to their fate. On the 21st of January the Government received another petition, making the same prayer as its predécessors, and two days afterwards was made the final answer of the Government, which I will read. Lord Stanley writes—

> "In reply, I have to acquaint you that, even if Her Majesty's Government had seen reason to alter the decision which has already been communicated to you in regard to the removing of refugees from Greece, the necessity for their doing so would now appear to be much less required, inasmuch as they learn from Lord Lyons that the Greek Minister at Constantinople has been informed by the United States Minister that all refugees who may present themselves will be received on board the ships of the American squadron, which has been ordered to Candia for that purpose."—p. 167.

Thus we have official record of the fact that those offices of common humanity which were refused by the British Government were willingly undertaken by the fleet and the Consul of the United States.

Having concluded my narrative of the facts, I now address myself to the principles which appear to me to be applicable to the events which I have related. I confess that when I read this account I was afraid that the noble Lord at the head of the Foreign Office had committed himself in some extraordinary manner to the purest abstract doctrines of non-intervention, which were at one time, I believe, erroneously attributed to him. I rejoice, however, to find that this reproach is wholly undeserved by the noble Lord. On reading the despatches I find that nothing can be more reasonable and more free than his correspondence from any abstract theory of non-intervention, which, in my opinion, is most unwise and unstatesmanlike. All such cases as these should be judged upon their own merits, and not upon any abstract doctrine. The noble Lord, I am glad to say, has been most reasonable as far as statements of principle are concerned. I find, at page 33 of the blue book, that the French Government wished their suggestion to the Porte, with a view to procure inquiry into the grievances of the Christians, to be endorsed by Her Majesty's Government. Upon this Lord Stanley wrote to Lord Cowley, giving an account of his reply to the French Minister here. He said—

> "I was as yet scarcely in a position to judge satisfactorily of the sufficiency of the causes which had led to the insurrectionary movements in Crete, but that I thought the proposition of the French Government one which, in its nature, was not open to serious objection, while it indicated the interest taken by the protecting Powers in the well-being of the subjects of the Porte."—p. 33.

I see no allusion there to the abstract doctrine of non-intervention. Lord Stanley did not meet the French Government by saying, "We have adopted a new policy in this country, and propose in future to have nothing whatever to do with the affairs of other nations." That was not the line he took, and I rejoice that I can say so. But I find a remarkable despatch on page 39, in reference to a proposition made to him by Baron Brunow, the Russian Minister in London. Baron Brunow, in his remarks to Lord Stanley, uses the well-worn arguments of the Russian Government in reference to the East. He repeats the arguments used by the Russian Government in the case of the disturbances in the Christian provinces in Turkey; he lays down the principle that "the point of departure should be the engagements contracted in 1830;" and then he lays down the principle — which, as it appears to me, is just up to a certain extent—that in the face of the obligations which were contracted by the Turkish Government before Europe in 1857, the European Powers have a right, I will not say of intervention, but of interest, in all those questions which entitle them to be heard if they choose to speak. What, then, is the answer which Lord Stanley makes to this? He says—

> "I agreed with him in principle as to the expediency of joint action among the three Powers in the event of necessity for such action arising."

And, at the close of the despatch, he adds—

> "It is far better that whatever is done should be done by the Porte itself, whose authority will be weakened rather than strengthened by foreign intervention. That intervention, however, will not be refused should circumstances appear imperatively to demand it."—p. 39.

I rejoice to find in these despatches an emphatic though implied contradiction of a dogma which has been commonly laid down of late years—that England should pursue a policy of total abstention from the affairs of the East; and that our relations with Turkey are of such a nature as to place our obligations and our duty of neutrality towards her precisely in the same position as that in which we should stand to any of the more civilized Powers of Europe. Your Lordships will observe that Lord Stanley speaks of such intervention as the French and Russian Governments at one time contemplated as, under certain circumstances, justifiable—that is, if the necessity should arise. I accordingly asked myself what were the circumstances which, in the opinion of Her Majesty's Government, would justify intervention with the internal affairs of Turkey; and I found an answer, with which I perfectly agree, in a despatch from Lord Stanley to Lord Lyons. The noble Lord says—

> "I could not deny the possibility of such occurrences, but said that it did not seem to me possible to refuse to the Porte the right which every State possessed of putting down insurrection by armed force, provided the use of force did not degenerate into mere brutality, and that the recognised customs of war were observed."

This is precisely the point; I assent to every word of this passage:—but, I ask, when the despatches I have quoted clearly show that Bashi-Bazouks, Circassians, and Albanians were let loose upon the Christian population of Crete, and were proved by eye-witnesses to be in the habit of murdering the wounded, the women, and children, whether the war was conducted on principles of civilized warfare, and whether Her Majesty's Government were not fully justified—nay, even compelled, as a public duty—to interfere in such a case?

But now I come to another ground. I have pleaded the cause of those women and children upon the grounds of humanity only; but I am also prepared to maintain that there are other grounds, and that there are other reasons, which ought to have induced Her Majesty's Government to have, at the very least, given a certain discretion to our authorities upon the spot.

I cannot deny, nor do I see how it can be denied, that there is some force in the appeals which the Cretans made to the transactions of 1830. Your Lordships will probably remember that in 1830 the Cretan population had very nearly achieved their independence. They had obtained possession of the whole country, with the exception of a few fortresses, which were occupied by Turkish troops. It was at that time in the contemplation of the three Powers to have included Crete among the islands which were made free. Very much, however, against the opinion of Lord Palmerston, Lord Russell, and other statesmen of the time, it was determined that this course should not be adopted; and I fully admit that there were special circumstances connected with Crete, especially the fact that the population was to the extent of nearly a quarter composed of Mussulmans, which justified the course that was adopted. But that course was not determined upon without serious remonstrance on the part of the Cretans; and the three Powers agreed to address to the Porte a collective Note, for a copy of which I have moved to-night—a Motion which, as your Lordships are aware, is merely formal, inasmuch as the document is to be found in the Library. The Protocol of the 8th April, 1830, constituted a considerable claim on the part of the Cretan population to the protection of the European Powers.

The Earl of DERBY begged to remind the noble Duke of a passage in that Protocol, which he seemed to have overlooked.

The Duke of ARGYLL: I am aware of the language referred to; but it is not upon those words I wish to dwell. I am perfectly prepared to admit, what the noble Earl seems to imply by his interruption, that the main object of that Note was to secure to the Cretan population protection against the repetition of the occurrences which had recently taken place; but I think that the language of the Note goes beyond that, and holds out an expectation—for I will use no stronger term—to the people of Crete that their interest and welfare should in future be a matter of benevolent consideration to the Western Powers. I am not, however, going to dwell upon this point, because I put the duty of the Western Powers upon, as I think, a much stronger basis. I ask you to consider the connection between this question and the policy which was secured in Europe by the Treaty of Paris in 1856. It is now between eleven and twelve years since the termination of the Crimean War—eleven years and a half since the last grave was closed upon those melancholy hills where so many of our friends fought and fell. Twelve years form a very short period in a nation's life, still shorter in the history of Europe; but so many and so great have been the changes which have taken place, not only in the old world, but also in the new, during the time, that we seem to be separated from that period by a great length, and, indeed, almost an age of time. I have often tried to look back upon the contest and agitation of that time, and have endeavoured to judge of it as I think it will be judged in the light of history. I am not insensible to the strength of some of the arguments used by the noble Earl near me (Earl Grey), and by other eminent statesmen, against the Crimean war; but this I will say, that a very large proportion of these arguments are founded upon a total misapprehension as to what the objects of that war really were. I am bound to say, too, that the language of diplomacy and of diplomatists has only tended—in this case as in so many others—to hide and to obscure the truth. I cannot but remember that the object for which we were always said to be fighting was the integrity and independence of the Turkish Empire. Now, my Lords, we all of us know—those at least of us who have any knowledge of the affairs of Europe—that the words "integrity" and "independence," as applied to Turkey, have not the same meaning as the words would have if applied to any other country. Its integrity is not the same; its independence never can be the same; and yet many of us who were Members of that Government, forced into the war by circumstances over which we had no control, were held to be fanatics in the belief that there was such a thing possible in the world as the regeneration of Turkey. For myself, I will say that I did not then believe, and I do not now believe, in the regeneration of Turkey. If the signs of decay and death were ever depicted upon a human countenance, if they were ever perceptible in any political society, their mark is now to be found upon the face of the Turkish Empire. But what had that to do with the Crimean war? Our object was not to preserve Turkey, except as a means to other things; our object was to resist the encroachments of Russia—to prevent Russia from serving herself heir by force and fraud to the rich and splendid inheritance of the East. And, in spite of the eloquence and logic of my noble Friend near me (Earl Grey), I am still unpersuaded that it was a matter of indifference to Europe that by force and by fraud an Empire should be established stretching from the Bosphorus to the Arctic Sea. But I never can forget, and do not now forget, that in conducting that contest and, in concert with France, in leading it to a triumphant issue, we were at the same time running counter to the natural tendencies and natural rights of a portion of the Turkish people. It is not for nothing that by the providence of God so vast a proportion of the population of the world shares in one common religious faith. And I, for one, admit that as in human affairs it is natural that certain sympathies should be established, it is still more natural that a general sympathy should always exist between persons who profess the same faith, and are members of the same church. And what have we done? The result of that war—right as I maintain it to have been for the purpose for which we entered upon it—has driven Russia from that protectorate of the Christian people in the East, to which, from the sympathies and the religion of the people, she was naturally entitled. And now, having so driven back Russia, we, the Western Nations of Europe, occupy her place to a certain extent, and to a certain extent, too, are bound to fulfil her obligations. I must confess I think it is an intolerable thing that the Western Nations of Europe, out of the jealousy which they bear to Russia, and perhaps out of the jealousy which they bear to each other, should deprive the Eastern Christians of their natural protectorate, and that they themselves should refuse to touch it with one of their fingers. I think it an intolerable thing that the Christians of the East should be left, under the pretext of neutrality, to be murdered by Bashi-Bazouks and Albanians. Every one of us must see that the dominion of Turkey has been maintained by our means, by our jealousies, by our advice, and by our determination that Russia should not exercise the protectorate which was natural under the circumstances of the case. Upon these grounds, and looking at the transactions which have taken place, and those in which we took part, supported as they were by all parties in this country—because although there was a difference of opinion whether we should go to war or not, there was no difference of opinion, except on the part of a small minority, that we were bound to resist the aggressions of Russia—under these circumstances, we are bound to consider such claims as I have brought before you with more than mere humane feelings for the sufferings which on such occasions are endured.

But before I sit down there is another point to which I feel bound to call your Lordships' attention. No doubt an impression prevails at the present day—not merely in respect of one particular Government or of one Foreign Minister—that the Foreign Office of this country has during the past half century been somewhat too active in its interference with foreign affairs. I feel no interest in opposing this current of public feeling, and, indeed, to some extent I go along with it; but I could not help being amused by the serious air with which a very eminent foreign diplomatist informed me lately that in the 500 or 600 pages of diplomatic matter which he had to go through in the course of the past year, the name of England had not occurred once. I confess I heard that statement with the greatest indifference. Where neither the interests nor the honour of England are concerned, I do not see why her opinion should be given, or her action required; but I trust that the Foreign Office will never shrink from defending to the utmost her honour and her interest where they are in any way imperilled. Let us not forget what we are going to do. We are about to bring the House of Commons into much closer relations with the great mass of the people. Ignorant and prejudiced men are in the habit of telling the people of this country that the past wars in which we have been engaged were the work of the aristocracy and of the upper classes—my Lords, there is not one of the wars, not even the most foolish or wicked in which this country has been engaged, which has not been at the time thoroughly popular. We are about to bring the House of Commons into closer connection with the masses, whose feelings are quicker, whose sympathies are warmer, and, shall I add—yes, I will add—and whose instincts sometimes are truer than those of the classes immediately above them. I shall be much mistaken and I shall be much disappointed if the change which we are about to undergo in the direction of democracy is to inaugurate a foreign policy founded upon pure selfishness. I believe, on the contrary, that you will find the masses of the people of this country quicker in both their anger and their sympathies than the class above them; and this I do say, that if you are to found the doctrine of non-intervention upon secure grounds, and to guard it against the reaction which is sure to come, you must take care that your conduct shall not represent that policy as sacrificing the rights of others, and doing violence to the consciences and to the hearts of men.

Moved, That an humble Address be presented to Her Majesty for, Copy of a Note addressed to the Porte by the Three Powers Great Britain, France, and Russia on the 8th April, 1830.—(*The Duke of Argyll.*)

The Earl of DERBY: My Lords—The noble Duke has moved for papers which he plainly confesses are not of the slightest importance, as they are already in the Library of your Lordships' House, and can be referred to, and which fully record the transactions of the period, and all the events to which the noble Duke has referred. But I must confess that I was not prepared by the Notice which the noble Duke gave for the very discursive, though very able, address that he has just offered to your Lordships, and which it appears to me goes far beyond the question under immediate consideration—the affairs of Crete. The noble Duke has stated that it is his earnest desire to postpone, as far as possible, the agitation of the Eastern question; but if that be his desire he has not acted strictly up to his intentions, for I cannot conceive that any speech by a person holding the high position of the noble Duke would have a more direct effect in stimulating discussion of the Eastern question, and of forcing on and of rousing the passions of all parties, and creating a more hopeless antagonism, than the speech which the noble Duke has thought fit to address to you this evening upon the subject of the affairs of Eastern Europe. When the noble Duke so freely commented upon the course that Her Majesty's Government had pursued, I was in hopes that he was about to tell us what course he would recommend as to the affairs of Crete. So far as I can understand the noble Duke, he considers the obligations of the Great Powers are precisely contrary to what I consider them to be. He considers that the obligations of the Great Powers go to encourage the aspirations of nationalities and insurrections in all parts of the Turkish Empire. The noble Duke tells us that the Turkish Empire is falling into a state of decadence. It is possible it may be; but it is not the duty of the British Government to lend a hand to overthrow or precipitate its fall; it is, on the contrary, rather the duty of the British Government, if that fall is to take place, to make it as easy and gradual as possible; and perhaps the very last thing to be done is to point out in the British Parliament the defects of the Turkish Government, and thus to aggravate any instances of misgovernment on the part of the Turkish authorities, and to show unbounded sympathy for those who are in open revolt against the constituted authority of the country. The noble Duke should remember that one of the conditions upon which the kingdom of Greece was established as an independent State was this—that while every protection was to be given against re-action on the part of Turkey, in consequence of the transactions that had occurred, it was also laid down as a fundamental principle that the Great Powers of Europe would not tolerate for a moment any attack or invasion on the dominions of Turkey. They settled by the Act of 1830 that it was their determination not to tolerate any such attack or aggression? Now, what is this insurrection in Candia? I am not going to defend all the acts of the Turkish Government. I do not say that there has not been much oppression and much hardship sustained by the Cretan population; but this I am bound to say—that every report that we have had from the days of Consul Longworth down to the present time has declared and shown that the complaints of the Christian population have been greatly exaggerated, that many of them, as regards taxation, are without foundation, and that, in point of fact, Crete is the least heavily taxed portion of the Turkish dominions, and that if they have no roads it is because they object to pay a tax for the making of roads. I find that among the number of complaints in the petition addressed to the Sultan in May last—and no doubt there was some foundation for some of them—that there was injustice on the part of the Pashas. No doubt there were many acts of oppression committed by the Pashas; yet I venture to say that these things were done without the authority and against the will of the Turkish Government, and that moreover even these were greatly exaggerated. But does the noble Duke mean to tell me that the removal of the grounds of these complaints is the real motive of the insurrection ? No; at the very time when with all professions of loyalty to the Sovereign, they were praying humbly for the removal of these grievances; at that very time they were through other agents, addressing other Powers, and saying, "In these petitions we mean nothing; nothing will satisfy us but annexation to Greece —without that everything will be illusory." That was the real object of the Cretan population; nothing less would satisfy them than the dissolution of the ties that bind them to Turkey and annexation to Greece. The noble Duke did not confine himself to Crete; he talked of other provinces of Turkey, and the oppressions under which they were suffering. He has put himself forward as the friend of the injured, who, instead of appealing to the Government, or to the friendly offices of the Great Powers, have appealed to arms for the establishment of a Greek kingdom, and the Greeks all over the world are doing their best to light a flame throughout the Turkish dominions. What was the course of the Turkish Government on receiving that petition ? The noble Duke says that for three months that petition was not answered. But when it was answered it was answered by sending over to Crete, with a message of peace and reconciliation, a man of singularly mild character, a man perfectly well known to the Cretans and who was very much attached to the population, over whom he had ruled for about thirty years. He went with his message of conciliation; he hoped that they would send in their grievances, and he promised to attend to them. He sent this message to those who were at that moment in arms, and by two chiefs who were prisoners of war, and whom he released for that purpose; but he accompanied it with a statement that so long as they remained in arms against the authority of their Sovereign it would be his imperative duty to put down rebellion with the strong hand, although at the same time he was perfectly ready to give a fair consideration to their complaints. That message was treated as a mockery; and the people in arms, instead of stating their grievances, betook themselves to the hills, and then defied the Governor of the country. What was he to do? Was he to abstain from putting down this revolt? It was his duty to assert the powers entrusted to him, and to use them as far as he could with moderation and humanity. I must say that in the whole of these papers there is nothing to prove any allegation that he acted in any other manner, but everything to disprove any barbarity on the part of superior officers. The instances are numerous in which it is shown that prisoners were treated with the greatest possible kindness, and that the noble Duke fairly admits. It was no doubt a great misfortune that the Turkish Government did not confine themselves to the employment of Turkish regular troops instead of introducing into the island bands of irregulars—Albanians and Egyptians. I certainly believe that great atrocities were occasionally committed by them upon the Cretans; and, on the other hand, there is evidence equally strong of atrocities on the part of the Cretans against the Mussulmans, the similarity of which to those committed by the Turkish irregulars seems to suggest something like rivalry in outrage. During the progress of this insurrection nothing could be more difficult than to obtain accurate information as to the real facts of the case. It was almost impossible that any accounts could be more dissimilar and contradictory than those that were received day by day from Turkish and Greek sources, and those received from the Greek friends of the insurgents are greatly exaggerated. It is perfectly well known that the support of this Cretan insurrection came from Athens and Greece. It was thence that inflammatory papers were put forth; it was thence that lying statements were issued of splendid successes which were without foundation in fact; it was thence that supplies of ammunition, arms, volunteers, and every description of military provision were sent. I think it was unfortunate that the blockade by the Porte was so inefficient that it is notorious the *Panhellion* made I do not know how many trips, and over and over again landed volunteers, arms, and ammunition; and when the insurrection was on the point of being suppressed, with less cruelty and more humanity, perhaps, than any revolution ever was, the fresh arrivals of these volunteers gave fresh encouragement to the insurgents. This constant stream was poured in from Greece with the connivance of the Ministers—I do not say the King, for I must do him the justice to say that he endeavoured to do a painful and difficult task with the utmost good faith and fidelity; but it is notorious that the leading men in the Greek Ministry were among the most active agents in forwarding of supplies. But for these constant supplies, and I am afraid I must say, but for language such as the noble Duke has made use of to-night, the insurrection would long since have been put an end to; and it is to them that is to be attributed in a great degree a large portion of the miseries that have befallen an unoffending population; it is owing to them that peace has not long since been restored to Candia, and that the Porte has not had an opportunity of carrying into effect those wise and judicious measures of pacification which have been pressed upon it by Her Majesty's Government in every despatch it has sent. In every one conciliation and moderate measures have been urged on the Porte; in every despatch to us the Porte has intimated its readiness and anxiety to fall in with our views as soon as it could put down armed insurrection. The very last paper in this book is a communication from Aali Pasha of the last firman, in which it is intimated that Server Effendi has been sent to Crete on a special mission; that he is instructed to make a faithful report on the actual condition of the island; that he is charged with conciliatory proposals to the inhabitants; and in particular with an invitation to them to send delegates to Constantinople to represent their wishes, wants, and grievances to the Porte. I do believe that it is the earnest desire of the Porte to deal equitably and impartially between the Mussulman and the Christian populations in Crete; but the fanaticism on the one side and the other, the feelings of mutual hostility and exasperation, render it extremely difficult for the most popular and benevolent Governor in Candia not only to keep down revolts of the Christians, but also to curb the fanaticism of the Mahomedans; and your Lordships may depend upon it that if you attempt to give encouragement and support in any form to the separation of Crete from the Turkish Empire, you encourage that which cannot take place without a war more sanguinary and envenomed than the Christian world has ever yet known. Scattered over the face of the island, there is a Christian population three times the number of the Mussulman population and, on the other hand, you have the Turks, proud of their superiority of race, possessed of all the important posts of the island, united in themselves, armed and warlike. Do you believe that if all Europe were leagued against the Turks they would tamely submit to be expelled as a governing class from the island of Crete and subjected to the dominion of the King of Greece? The idea is preposterous. Does the noble Duke think it is our duty, does he think it is consistent with our obligations, to favour and support the separation of Candia from Turkey against the will of the Turkish Government? [The Duke of ARGYLL: No!] Well, I should like to know what is the course the noble Duke desires to recommend. He says he does not complain of the despatches nor of the course pursued; on the contrary, he says these are deserving of credit; he does not complain of the wishes and desires of the Turkish Government; he says they have displayed a spirit of humanity and conciliation, but he says that in a civil war some portion of the troops — the irregular troops — have committed atrocities which every human being would say are deeply to be deplored. Well, what is the issue? What have we recommended? We have given our advice to the Turkish Government, and have left the Turkish Government to deal with it as it may think fit. We have suggested such an autonomy in Candia as exists in Samos and Albania. But there is this distinction. In Samos the population is almost wholly Christian; in Crete it is mixed, in the proportion of three-fourths Christians and one-fourth Turks, which is a difficulty in the way of introducing an autonomy. We have suggested to the Turkish Government an autonomy as the means of restoring peace and order in Candia; but we have not thought ourselves at liberty to say to the Turkish Government that they shall act on our suggestion. We have offered them our advice as friends, but we do not feel ourselves justified in judging the internal regulations and government of Turkey. If we did, we should impose upon ourselves a hopeless task, and we should contravene the principles of International Law, and take a course inconsistent with the independence of Turkey. I do not say that Turkey is in the same position as many other countries. As European Powers we may have a right to offer advice, and, if necessary, even more than advice with regard to the treatment of some of the Christian subjects of the Porte; but to endeavour to persuade the Porte to sacrifice, to amputate from its Empire, a large and important colony, is to press upon him that which Turkey will resist as long as she has a man to spare or breath to resist. If the noble Duke is desirous of raising that issue, he is raising the issue he professes to avoid—namely, the immediate and bloody renewal of the whole Eastern question. The only point on which the noble Duke found serious fault was the course adopted by Her Majesty's Government in refusing to give assistance to fugitives from Crete. As regards the action of the Foreign Office, I am sure no man ever came with deeper reluctance or greater pain to the discharge of that which he considered to be a duty imposed upon him by strict neutrality than did my noble Relative to the conclusion that he could not give aid to those fugitives. But, my Lords, he was bound to consider, and Her Majesty's Government was bound to consider, not only the sufferings of those fugitives, but what would be the effect of such interference as would be involved in giving them assistance. It was, as I have said, from Athens that this war was chiefly maintained. One of Her Majesty's ships conveyed from the coast of Crete a large body of persons, including some wounded men, but no doubt a majority of women and children; and had she continued taking fugitives to Athens and returning for fresh cargoes, in the excitement of Greece it would have been instantly said, "Here is intervention in favour of the Cretans," and we should have had the whole of Europe joining in a protest against intervention. The effect of any such encouragement given to the Cretans would have been that they would have said, "We will not for a moment relax our efforts. We see the prospect of ultimate success; we will persevere, notwithstanding all the miseries we inflict, with the satisfactory consciousness that these miseries, notwithstanding our prolongation of the war, are certain to be relieved and alleviated, and that the withdrawal of the non-combatants will leave the combatants in a better position than they were in before?" It was upon these considerations that my noble Relative felt himself bound to discharge the painful duty of disregarding the appeals that were made, and of refusing to put in the scale the sufferings of a certain number of individuals, and as against the serious consequences which would have arisen, and the evils which might have resulted to this country had he in the slightest degree taken such a part as would have been construed into actual support of the insurrection. It was a painful alternative to have to choose. I do not blame Lord Lyons for giving way to natural and humane instincts in assuming the responsibility of sending the *Assurance* to remove some fugitives; but my noble Relative was bound to act upon other considerations, and to see that nothing was done which could be regarded as an infringement of our neutrality; and, therefore, while he did not disapprove Lord Lyons' course of action under the circumstances, he sent out instructions against the renewal of proceedings which, however laudable and humane in their object, were calculated to create false hopes and expectations. I do not think that there can be any difficulty or embarrassment as to how we should act in the future. My noble Relative said—"The course you adopted has been considered an infringement of neutrality. We admit the difficulties in which you were placed, and, making all allowance for them, we do not disapprove your conduct in the present instance, but take care that it is not continued, because it may tend to increase the horrors and asperities of the war." Now, I do not wish to follow the noble Duke through the whole of the examination, which, with great labour, he has made of these despatches; and, indeed, I should not be competent to do so, unless called upon by your Lordships, because the noble Duke has admitted that the general course pursued by Her Majesty's Government has met with his approval, and that the advice we have given to Turkey is, on the whole, sound and humane; that we have not unduly interfered with the independence of the Turkish Empire, while we have not failed to press upon it the necessity of conciliatory measures towards those whose armed resistance they had put down. The noble Duke does not say that the Turkish Government has shown any indisposition to act upon that advice; and I confess that, such being the case, I think I am absolved from entering upon any laboured examination of the various points which have been dwelt upon by the noble Duke. While I regret that the noble Duke finds it necessary to disapprove one particular part of the course we took after full consideration of the subject, under a most painful sense of duty, yet I rejoice that as regards the general course we pursued we have been happy enough to meet with the noble Duke's approval. And now one word as to the course pursued by the Turkish Government. I have already stated that a great number of the atrocities reported to have been committed were grossly exaggerated, while many rumoured cases of cruelty were totally without foundation. There was one story, for instance, about 500 women being destroyed. Why, there was not a vestige of foundation for such a charge. [The Duke of ARGYLL: I did not mention that.] No; the noble Duke did not mention it, but it is stated in the blue book, and the noble Duke's remarks would lead your Lordships to believe that the stories contained in this book, instead of being—at least some of them—a tissue of lies, are really entitled to the utmost credence. In mentioning one particular case the noble Duke laid very little stress upon it, but went on with the significant remark, "If these remarks are anything like the truth." Now, my Lords, many of them are nothing like the truth. That there have been excesses committed on both sides I do not deny, but they were committed against the wishes of the Turkish Government. And what has been the conduct of the Turkish Government? I should like to know whether there is an instance in history where an insurrection was put down with less loss of life, except in actual conflicts? Is there any other instance of the conquerors furnishing the vanquished with food, shelter, and raiment? The Turkish Government even sent away to their own country persons who, not being connected with Crete, had gone there for the purpose of promoting the insurrection; more than that, they sent their baggage with them. What other country in the world would have acted so? I am sure that this country would not; and I do not believe that any country except Turkey would send back to their own country volunteers who had gone to assist the rebellion in Crete—would send them back with their arms and baggage and under the protection of Turkish troops. Then a general amnesty has been promised. Deputies have been invited to go to Constantinople, and lay before the Committee there the wrongs and the grievances of Crete. They will be listened to patiently, and I hope they will be dealt with kindly. It is our duty, as friends of Turkey, to encourage her and advise her, and to lose no opportunity of pressing on her how much it is for her own interest that she should pursue a conciliatory course. It is no part of our duty, and shall be no part of our policy, so long as I have a voice in the direction of it, by means of exciting speeches, or by strong expressions of sympathy, or by coloured representations of the wrongs of the Christian populations in all the provinces of Turkey — in the Epirus, in Thessaly, and in the immediate neighbourhood of Greece—to encourage exaggerated hopes and expectations; and thereby to accelerate that which it may not be possible finally to avert—namely, the ruin of the Turkish Empire; for, if that is to happen, it is our duty to see that it takes place as gradually and as safely as possible.

THE EARL OF KIMBERLEY said, the question raised by the noble Duke (the Duke of Argyll) involved considerations of foreign policy so important that he wished to make some remarks on the subject. The history of this Cretan affair might, in his opinion, be summed up very shortly. The Cretans were in much the same position as the Christians in the other Turkish provinces. Now, they not only addressed a petition of grievances to the Ottoman Government, but they likewise addressed a letter to the three protecting Powers, stating that their object was to redress their grievances by means of separation from Turkey and annexation to Greece. That was the state of things which the Turkish Government had to deal with. Of course, it was impossible that a Christian Power should not feel a natural sympathy with the Christians in the Turkish dominions; but he maintained that the course to be taken by Her Majesty's Government could not be decided merely by considerations of sympathy, but by grave considerations of policy; and he could not help thinking that his noble Friend (the Duke of Argyll) had been to some extent carried away by his feelings when he spoke of the struggles by which the Greeks had achieved their independence. But if the noble Duke wished to persuade the House that the Government had not interfered sufficiently, there were other arguments which he was bound to bring forward. His noble Friend had referred to the Crimean war. He (the Earl of Kimberley) must say that we undertook that war in order that Turkey might be relieved of the undue pressure put upon her by Russia. In 1856 we obtained from the Porte distinct promises that it would treat its Christian subjects in a better manner than it had hitherto done, and it must be admitted that the Powers who signed the treaty had acquired a special right to remonstrate with the Porte on that subject, and were justified in insisting that the treatment of those subjects should be consistent with the promises then made. But the case now under consideration was of a totally different kind. If we had interfered in this matter at all, we must have interfered between a Sovereign Power and its revolted subjects. In one of his despatches, Lord Stanley had distinctly stated that if there was one sovereign right more paramount than another it was that of asserting its power over its own subjects. There might be exceptions to that rule, but the Cretan insurrection was not one of them. The voice of humanity should be heard, but true humanity dictated that no expectations of assistance should be held out when it was impossible it could be given. It would have lowered the character of this country if such a course had been pursued. The course taken by the noble Lord at the head of the Foreign Office in this question had been, in his opinion, a wise and considerate course. If anything were needed to show that it would have been neither wise nor judicious to allow British ships to convey women and children from Crete it was furnished by the papers before them; for it was clear that such a permission would have been regarded as a promise of active interference. In one of them it was stated that when an English vessel of war was sent to take the insurgents from the Island of Crete, ovations were given to our Consuls in Greece, and the people there would not be convinced that it was not a step in the direction of intervention on the part of England. We must not only consider what we meant ourselves in such cases, but also what other persons would suppose that we meant. He must say he thought the conduct of Consul Dickson was natural as far as it was directed to the protection of the women and children; but he was bound to add that he thought that Consul Dickson was imprudent in referring, as he had done in his letter to Commander Pym, to the case of the foreign insurgents. He would ask his noble Friend (the Duke of Argyll), what would be the feeling of the people of England if the United States sent ships at this moment to the coasts of Ireland to remove any foreign insurgent volunteers who might be found there. We ought to apply to others the rule that we desired should be applied to ourselves. On looking at the circumstances impartially, he thought one must come to the conclusion that the course adopted by Her Majesty's Government was the right one. With respect to our general policy in the East, he would observe that he believed the future was extremely dark. He thought no one could venture to say what would be the end of the troubles which from time to time were arising in that part of the world. It might be that the fall of the Ottoman Empire was approaching; or it might be that we should see what he should prefer to the sudden fall of so great an Empire, which, in all probability, would not occur without a bloody war throughout Europe—he meant the progress in civilization and independence of Christian populations, such as those of Roumania and Servia, so that they would be able to take a place by the side of Turkey. Either of those results might occur; but, in any event, he held it to be the duty of this country, while adhering to any engagements into which she had entered, not to take any steps which would prevent her in any emergency from adopting that course which might be best for her own interests and those of Europe.

EARL GREY said, that he thought the noble Earl who had just spoken and the noble Earl at the head of the Government had been so successful in showing that there was no ground for finding fault with the Government for the course it had pursued that there was no occasion for his adding anything to what they had said on this point:—and painful as it must have been to refuse our assistance in conveying those women and children from the coast, he (Earl Grey) thought the Government had acted rightly in the matter. But he could not help expressing his opinion that though his noble Friend (the Duke of Argyll) had failed in showing the Government to have been wrong in this matter, he had yet succeeded in proving very satisfactorily that the policy now acted upon was not very consistent with that which had been pursued at the time of the Crimean war. They had been then told that we entered into the Crimean war to maintain the independence and integrity of the Turkish Empire; but that in doing so we took upon ourselves to protect the Christian populations from misgovernment at the hands of the Porte. He was glad to hear now on the high authority of his noble Friend (the Duke of Argyll) that our professing to maintain the "independence and integrity of the Ottoman Empire" was a mere diplomatic phrase, which was not to be understood in the ordinary sense of the word; because he had ventured from the first to say that in attempting to maintain the Ottoman Empire, and at the same time to prevent the oppression of its Christian subjects, we were undertaking a task beyond our strength. He believed with his noble Friend that the Empire of Turkey bore on its face the unmistakable signs of approaching dissolution, and that no efforts which we could make would be effective in keeping it together for any long time. He hoped they would not be. It ought not to be the policy of this country to keep alive such a government. He avowed his regret at seeing one of the fairest portions of Europe subjected to the barbarous government of the Turks; for wherever that Government prevailed civilization and the happiness of the people disappeared under its influence. On the other hand, it was not their business to interfere to regulate its affairs so far as its Christian subjects were concerned. These subjects were in a semi-barbarous state, and the whole question was so complicated that if this country were to interfere it would only be undertaking a task beyond its power to accomplish. In his opinion if we had acted less on feeling and more on calm consideration of what our policy ought to be it would have been better for ourselves and for Turkey, and for the Christian populations now ruled by the Porte. From the battle of Navarino down to the present time there had been too much interference in Turkish affairs. What had resulted from the Crimean war, in which we spent £100,000,000, which had cost the lives of 500,000 men, and which had produced an amount of distress in families which it was frightful to contemplate? That war, of which the professed object was the maintenance of the Turkish Empire, had by its results advanced probably by many years the inevitable day of its destruction. It had crippled the resources of Turkey, and every one admitted that since that war the Ottoman Empire had made gigantic strides to dissolution. What had we fought for? We were afraid of the preponderance of Russian rule. Well, he thought that if Russia had been let alone she might have made Turkey treat her Christian subjects better, but that there had existed any danger to us from Russia he utterly denied. But if there was we had only increased it by the policy we had pursued, for he could not doubt that by the Crimean war we had increased Russian influence in the East, because that war had made the Christian populations—the advancing races—look upon Russia as their friend, and the Western Powers as their enemies. When he said that we had interfered too much in the East, and that our interference there had done harm instead of good, he did not wish to be understood to approve of that policy of mere selfishness on which it was now the fashion to insist under the name of "non-intervention." Far be it from him to say that we never should use our power for the protection of the weak against the strong. On the contrary, he regarded the great power we possessed as carrying with it great responsibilities. It was the interest of this country also as well as its duty to endeavour as far as possible to prevent the oppression of weak States and to maintain the cause of justice in Europe. We neglected to do that three years ago when we might have done it; and perhaps the youngest man among us would not live to see the last of the misfortunes which our policy on that occasion would produce.

The Duke of ARGYLL, in reply, said, his opinion was that a friendly communication might have been made by this country, through Lord Lyons, to the Porte, on the subject of the women and children whom we were asked to carry off the coast. He believed, if that had been done, no objection would have been made at Constantinople. He concurred with his noble Friend (the Earl of Kimberley) in thinking Consul Dickson had gone too far in interfering for the insurgent volunteers; but he could not admit that the case of a ship of the United States Government carrying away foreigners from Ireland was at all in point. There was no analogy between what was being done by this country in Ireland and what the Turks had been doing in Crete. Women and children were not in need of conveyance from the shores of Ireland. No one suspected that Irish women and children would be ill-treated by our troops. There was no argument so false as that founded on false analogy.

Motion (by Leave of the House) *withdrawn*).

CASE OF THE "TORNADO."

POSTPONEMENT OF MOTION.

The Marquess of CLANRICARDE, who had given notice

"To inquire whether a Reply has been received from the Spanish Government to the Despatch of Her Majesty's Secretary of State, dated 8th February, relating to the *Tornado* and her Crew; and to move for further Papers upon the Case of that ship,"

said, he desired to postpone the Motion, and hoped that, on the day to which the matter would stand adjourned, the noble Earl at the head of the Government would not object to produce any fresh correspondence which might have taken place.

The Earl of DERBY said, that in anticipation of a debate on this subject, he had brought down to their Lordships' House some further papers. He feared, however, it would not be possible to produce all the Correspondence up to the present, matters in Spain being in a state of such complete uncertainty. As soon as anything like a termination, or even a stopping point, was reached, he should be happy to do so.

The Marquess of CLANRICARDE said, that whether the papers were produced or not, he certainly should feel it his duty to go into the discussion on the subject. He very much approved the mode in which the Correspondence had been conducted by the noble Lord the Secretary for Foreign Affairs, but he thought the time had now arrived for something else.

THE MILITIA.—QUESTION.

Earl COWPER, in asking, Whether it is the intention of Her Majesty's Government to increase the Period during which the Militia shall be assembled this Year for the annual Training, said, the subject was one which, in the face of the efforts making by all Continental nations, deserved and would receive a large share of the attention of the country, were this not concentrated on one all-absorbing topic. The question was coming on, and would have to be answered, how long England would be able to hold her own with her present military system. Everybody seemed to be agreed that the safeguard must be looked for in the militia. The Volunteers, although an admirable force, and useful in its way, never could be permanently embodied, because the men composing the force were men of daily avocations. He was glad to perceive that among the high authorities who had declared the necessity of maintaining and strengthening the militia force General Peel was included. The country, he was persuaded, would not grudge any expenditure which might be necessary for the purpose. One of the greatest difficulties which he experienced, and he believed it was the case with many lords-lieutenant of counties, was in officering the force. Sons of country gentlemen could not be procured in sufficient numbers, and a man who accepted a commission in a county with which he had nothing to do must be hard up for occupation. With a militia command there was too much to do to make it a pleasant occupation, like the Yeomanry, and too little to do to make it a permanent employment, like the army. The extension of time from the present limit of a month to six weeks would very greatly add to the efficiency of the force. No doubt men could badly spare the extra time; but if they could afford six weeks in the year that they were recruits, he did not see why they could not manage to be equally long under arms in other years.

The Earl of LONGFORD agreed that it was the duty of all concerned to promote by every means in their power the efficiency of the militia, and hoped the noble Earl would soon receive from competent gentlemen applications for the vacant commissions. He could only reply that the Estimates this year had been framed upon the usual plan, and there was no intention of extending the time of the annual training of the militia.

PUBLIC SCHOOLS BILL—(No. 29.)

(*The Earl of Derby*.)

THIRD READING.

Order of the Day for the Third Reading read.

Moved, "That the Bill be now read 3^a."—(*The Earl of Derby*.)

Earl MORLEY expressed his regret that the Bill as it left this House should contain the restriction introduced last year. Governing bodies, they knew, whether educational or ecclesiastical, governors or trustees, were always unwilling to reform themselves; and yet the circumstances of the time being wholly different to those existing when these governing bodies were first appointed rendered some modifications absolutely necessary. The restriction, he believed, was calculated to impair the efficiency of the Commission itself, and very greatly calculated to neutralize the good effects of the other provisions of the Bill.

The Earl of DERBY said, that he had last year been instrumental in introducing the restriction complained of, and thought it inexpedient that the House of Lords should this year reverse its decision. At the same time, if a different view were taken in the House of Commons, he had no wish to make this a Government question, and if expunged in that assembly he should not feel it necessary to reinstate the clause, though he still believed it to be an improvement.

EARL GRANVILLE accepted with very great satisfaction the statement of the noble Earl. Very strong opinions had been expressed with regard to this restriction, and by no one more so than by his noble Friend the Earl of Clarendon, who originally introduced the Bill. It was the hope and expectation of the clause being expunged in the House of Commons that mainly led to its passing *sub silentio* through their Lordships' House. The very candid statement just made by the noble Earl would be of great use in discussing this matter elsewhere.

Motion *agreed to:* Bill read 3^a and *passed*, and sent to the Commons.

House adjourned at a quarter before
Eight o'clock, to Monday next,
Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 8, 1867.

MINUTES.]—NEW WRITS ISSUED—*For* Droitwich, *v.* Right Hon. Sir John Somerset Pakington, baronet, Secretary of State; *for* Devon County (Northern Division), *v.* Right Hon. Sir Stafford Henry Northcote, baronet, Secretary of State; *for* Tyrone, *v.* Right Hon. Henry Thomas Lowry Corry, First Commissioner of the Admiralty.

SELECT COMMITTEE—On Limited Liability Acts *nominated.*

SUPPLY—*considered in Committee—Resolutions* [March 7] *reported.*

PUBLIC BILLS — *Second Reading*—Consolidated Fund (£369,118 5*s.* 6*d.*)*; Land Contracts (Ireland)* [32].

Committee—Metropolitan Poor (*re-comm.*) [66] [R.P.]

Considered as amended—Shipping Local Dues* [5].

Third Reading—British North America* [52], and *passed.*

MEXICO—THE BONDHOLDERS.

QUESTION.

MR. HARVEY LEWIS said, he would beg to ask the Secretary of State for Foreign Affairs, Whether any and what instructions have been given to Her Majesty's Minister in Mexico relative to the non-receipt, monthly, by the Agent of the Mexican Bondholders there since the 1st of January 1866, of the Twenty-five per Cent of the Custom House Duties specially hypothecated to them under the Dunlop and Aldham Conventions, and which are known by Official Returns to have produced more than the sum of Three Hundred Thousand Pounds yearly, required to pay the annual interest of Three per Cent on the Ten Millions Mexican Bonds?

LORD STANLEY: So late, Sir, as the 10th of January in the present year instructions were sent out to the British representative to support the claims of the bondholders.

REPRESENTATION OF THE PEOPLE—LANCASTER, REIGATE, TOTNES, YARMOUTH.—QUESTION.

MR. SERJEANT GASELEE said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will bring in a separate Bill to disfranchise the Boroughs of Lancaster, Reigate, Totnes, and Yarmouth, and how he proposes to deal with the present Members of those Boroughs who still retain their Seats in this House?

THE CHANCELLOR OF THE EXCHEQUER: There is, Sir, no intention to bring in a separate Bill for the object to which the hon. and learned Gentleman refers. With regard to the present Members for the Borough of Yarmouth, I am very glad they have seats in this House, because I think they are very useful Members of the House of Commons.

MR. SERJEANT GASELEE: I would remind the right hon. Gentleman that there is another Member of the House besides the two Members for the Borough of Yarmouth—["Order, order!"]

DISTURBANCES IN IRELAND—THE FENIAN CONSPIRACY.—QUESTION.

MR. H. HERBERT said, he would beg to ask the Secretary of State for the Home Department, Whether Government have reconsidered their policy with reference to those implicated with the Fenian movement and those taken in arms, and if they have determined to change this policy, whether it would not be expedient to make it immediately known, in order to prevent others joining in the outbreak; and, whether Martial Law will be proclaimed in those districts where outbreaks occur?

Mr. WALPOLE: I believe, Sir, that all the districts where outbreaks have occurred have been proclaimed; but I hardly know to what the hon. Gentleman refers when he asks whether the Government have reconsidered their policy in dealing with the Fenians?

Mr. H. HERBERT said, he was aware that districts had been proclaimed, but understood that they had not been put under martial law.

Mr. WALPOLE: No, certainly not.

Mr. H. HERBERT said, he wished to know whether the Government intend to proclaim martial law?

Mr. WALPOLE: That is a question which the Government must determine, and I am not now prepared to give an answer.

INDIA—ENGLISH RESIDENT AT LEH.

QUESTION.

Lord WILLIAM HAY said, he would beg to ask the Under Secretary of State for India, Whether the Indian Government have appointed an English officer to reside at Leh, the capital of Ladâk, in the dominions of the Maharajah of Cashmer; if so, in what capacity, and whether the appointment has been made with the approval of the Maharajah; and, whether the Indian Government have decided to despatch a commercial mission to Turkistan and Thibet?

Sir JAMES FERGUSSON: Sir, a statement has appeared in the papers, but no intelligence has been received by the Secretary of State as to the appointment of such an officer; nor is it known to the Secretary of State that the Governor General of India has any intention to send a Commercial Mission to Turkistan.

EGYPT—SUEZ CANAL.—QUESTION.

Sir HENRY RAWLINSON said, he would beg to ask the Secretary of State for Foreign Affairs, If he has received any Report from Lord Clarence Paget respecting his recent visit to the Suez Canal; and, if so, whether he will lay such Report upon the table of the House?

Lord STANLEY: Sir, I have not received any such Report as that alluded to by the hon. Member, and I may add, that as a Naval officer Lord Clarence Paget would address it to the Admiralty, and not to the Foreign Office.

METROPOLIS—ORNAMENTAL WATER IN REGENT'S PARK.—QUESTION.

Mr. THOMAS CHAMBERS said, he wished to ask the First Commissioner of Works, When the works at the Ornamental Water in the Regent's Park are to be commenced, and how long they will occupy?

Lord JOHN MANNERS: It is proposed to commence the works in the autumn, and it is calculated that they will occupy about six months.

DISTURBANCES IN IRELAND.

QUESTION.

Major STUART KNOX said, he would beg to ask the Secretary of State for the Home Department, Whether he has received any intelligence respecting the Fenian disturbances in Ireland that day?

Mr. WALPOLE: Sir, the only telegram I have received from Ireland to-day is the following:—

> "No important event reported except at Kilteely, eight miles from Limerick Junction, where a number of men have assembled. Troops are gone to the place. Farmhouses robbed of arms in the neighbourhood of Abbeyfeale. The neighbourhood of Dublin, including Drogheda, tranquil."

Major STUART KNOX: Can you state the hour at which the telegram was despatched?

Mr. WALPOLE: The hour is not stated.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

EMPLOYMENT OF VOLUNTEERS IN CIVIL DISTURBANCES.

OBSERVATIONS.

Mr. W. E. FORSTER said, he rose to call the attention of the House to the uncertainty as to the position of the Volunteers, as to whether they could or could not be called upon to aid the Civil Force in the repression of disturbances; and to ask the Government what steps, if any, they intend to take to remove this uncertainty. There was much doubt in the country with regard to the position of Volunteers in the event of disturbances, and to what extent they were liable to be called upon to aid the civil power upon such emergencies;

and it was obviously necessary that those doubts should be removed. The doubt had arisen in consequence of what passed at Chester on a recent occasion; but before referring to this he desired briefly to explain the position of the Volunteer force according to the Act under which they were enrolled. The Volunteer Bill of 1863 originally contained the following clause:—

> "Whenever a Volunteer corps, with the approval of one of Her Majesty's Principal Secretaries of State, voluntarily assembles on being called upon by the Lieutenant of the county to which the corps belongs to act within that county or the adjacent counties for the suppression of riots or tumults, every Officer and Volunteer shall, for the purpose of this Act, be deemed on actual military service."

Actual military service was defined by a subsequent clause, as follows:—

> "Such actual military service being defined by Clause 23, that 'Officers and Volunteers shall be subject to the Mutiny Act, and shall also be entitled to the benefits thereof in all respects as the officers and soldiers of Her Majesty's army for the time being are, and as if the Volunteer force belonged to and formed part of Her Majesty's army, subject only to this variation, that a court martial shall be composed of Officers of the Volunteer force only.'"

If, therefore, the Bill had passed in its original form, Volunteers would have been liable to be called out by the lord-lieutenant, with the sanction of the Home Secretary, for the suppression of disturbances. They might, indeed, have pleased themselves whether they responded or not; but if they came out they were to be under military discipline, and in exactly the same position as regular soldiers. A Motion, however, was brought forward by his hon. Friend the Member for Oldham (Mr. Hibbert), and there was a general feeling in the House that it would be unwise and inexpedient to rely upon or employ Volunteers in aid of the civil power. The clause was accordingly struck out. He was aware that a very large proportion of the present members of the force were enrolled prior to the passing of the Bill, and that they were, therefore, originally under the old Yeomanry Act, and might have been called out by the lord-lieutenant without the sanction of the Home Secretary; but he believed the great majority of them were ignorant of that liability, and joined the force under the belief that they would not be called upon for such a purpose. The movement, indeed, was solely intended for the protection of the country against any external danger, and it would not have attained the point which it reached within a year or two if there had been any thought of employing it in aid of the civil power. Lord Herbert, in a circular letter which he had addressed in 1861 to the lords-lieutenant of counties, had used these words—

> "I have also learnt that, in some cases, Volunteer corps have been called out in aid of the civil power on the occurrence of local disturbances, and I have therefore to point out to you, that, as the Volunteer force is not intended to be employed in this manner, it is inexpedient to assemble it on any such occasion."

So strong, indeed, was the impression that the Volunteers could not be so employed, that the hon. and gallant Member for Beverley (Sir Henry Edwards), speaking on the second reading of the Bill on the 14th of May, 1863, expressed his gratification at its being contemplated to make an alteration and to put them in the same position as the Yeomanry. The hon. and gallant Colonel, on the second reading of the Volunteer Bill, said—

> "Up to the present moment the services of the Volunteer corps were only available in the event of invasion; but he was happy to learn that it was contemplated in the Bill before the House to place them on the same footing as the Yeomanry Cavalry. As far as he could understand, they would in future be equally liable with the Yeomanry to be assembled for duty by the Commander-in-Chief, at the request of the lord-lieutenant, in support of the civil power in the suppression of riots."—[3 *Hansard*, clxx. 1700.]

That was the impression of the Volunteers and the condition on which the force was framed. What had happened recently at Chester had, however, altered the state of the case. He was one of those who thought the affair at Chester a most serious business. In the language of the noble Lord (Lord Naas), it was as mysterious as it was unaccountable. The action of the Volunteers there had been characterized by promptitude, energy, and courage, and every Volunteer in the kingdom must feel proud that they had so well responded to the call made upon them. Major Humberston who had formerly been a Member of that House, and who was in command of the Chester Volunteers, had acted with coolness as well as energy. It appeared from his report to the lord-lieutenant that between five and six o'clock on the morning of Monday, February 11, he was informed of an intended attempt by Fenians to seize the arms at Chester Castle. The first thing he did was to remove the Volunteer arms to Chester Castle. A little later, being informed that from 80 to 100 Fenians had arrived at Chester station, he summoned the Volunteers, and in about two hours 150 had assembled. He did not arm them, and a telegram was sent to the Home Office to inquire how far the Volunteers were authorized to act. The reply received from the right hon. Gentleman the Home Secretary was as follows:—

> "Volunteers ought not to be employed in their military capacity in quelling disturbances; but in point of law they would be justified in acting as individuals in aid of the civil power, and in a serious emergency they might use their arms if necessary."

In the meantime the Volunteers had been sworn in as special constables. On the arrival of the telegram from the Home Office, Major Humberston armed them, and they remained under arms all night at the Castle. He wished the House to consider the position in which this telegram had placed the whole Volunteer force. They might be called upon by the magistrates to act, but not under military discipline or under the orders of their officers, although they might meet in uniform, with power to use the Government arms. They were in the position of an armed force assembling at the instigation rather than under the orders of the magistrates, and using their arms at their own discretion. This was a state of things not without danger to the peace of the country, and unfair to the Volunteers themselves. Let the House consider what might be the result. The Mayor of Chester and Major Humberston both acted with coolness and discretion, and no harm was done. But elsewhere there might be a frightened magistrate, who might call out a body of Volunteers. Any one of them might fire his rifle, and there might be a battle in the streets before any officers or soldiers of Her Majesty's army would be engaged. If a body of Volunteers should fire in a premature manner upon a crowd in one of our large towns, the so-called massacre of Peterloo might be as nothing in comparison. The law, as laid down by the right hon. Gentleman, had excited a good deal of anxiety among the Volunteer force, and the matter had been discussed in "another place." The Under Secretary of State (the Earl of Belmore) said—

> "As civilians acting as special constables, Volunteers may be called upon to aid the civil power in quelling disturbances, and in cases of emergency there would be no objection to their using their arms."—[3 *Hansard*, clxxxv. 372.]

On the other hand, Lord Malmesbury, who had had much experience as a Volunteer officer, expressed an opinion almost precisely the opposite. He said, that he believed the Volunteers were liable to be sworn in as special constables, and, "when so sworn in, would naturally be armed as special constables usually were armed." Lord Malmesbury added—

> "I, as a Volunteer officer, should refuse to give up the Government arms at the request of a magistrate."—[3 *Hansard*, clxxxv. 377.]

This, also, was the opinion of Earl De Grey and Ripon, who, in a letter to *The Times*, said—

> "The law clearly confers no power of calling out Volunteer corps to aid in the suppression of riots. In such cases Volunteers can only act as private individuals; they may be sworn in as special constables, but only in the same manner as any other persons, and with the same duties and liabilities; but since the passing of the Volunteer Act of 1863 it has never, as I believe, been understood hitherto that Volunteers so sworn in were to be armed with their Government rifles and ammunition, and to be employed, as might then be the case, rather as troops than as special constables."

The subject had also been discussed by the chief legal authorities in the other House, where opinions were equally contradicting. Lord St. Leonards, one of the highest authorities in the country, and an ex-Lord Chancellor, expressing one view, while the present Lord Chancellor expressed another. The Volunteers were thus unable to know what they were to do. No doubt the right hon. Gentleman had communicated with the Law Advisers of the Crown; but this was a matter for the Executive rather than for the Law Officers. The House might anticipate that the law laid down would be similar to that explained by Lord Mansfield in the Lord George Gordon riots—that the magistrates might call upon any man, soldier, or civilian to assist in keeping the peace, and more than this, that any man who saw the peace broken might help to keep it, and act as he thought best for that purpose. If, however, death should ensue, he was responsible to the laws of his country for the exercise of his discretion. It was very unfair to tempt the Volunteers to use their discretion and not to guarantee them against the consequences. The right hon. Gentleman the Home Secretary, in his Chester telegram, said that in a serious emergency the Volunteers "might use their arms if necessary." But suppose they should use their arms, and it should turn out that it was not necessary, they would then be responsible to the civil power, and they might be tried for their lives. The Duke of Cambridge, in the debate to which he had referred, stated that the officer in command of the few regular troops at Chester was placed in a most awkward position. He did not know, the Duke added, whether if he had availed himself of the assistance of the Volunteers he might not have committed an illegal act. If death had ensued he might have made himself amenable to the laws of his country, and might have been tried for his life. Captain Evans, who commanded the Artillery Volunteers at Chester, had written a letter to *The Times*, in which he stated—

> "If the Volunteers were there as civilians, which is not only Mr. Walpole's, but doubtless, the dry legal view of the matter, then their mustering in a body with arms, involved the somewhat formidable principle that the inhabitants of a place, threatened as Chester was on Monday last, may assemble, either collectively (though, as simple civilians, under no responsible command) or individually, and use their firearms against rioters or invaders at their own discretion. It would not be difficult to show the alarming consequences which such a licence might involve, unless a very clear line indeed were drawn by law to distinguish the precise emergency in which firearms were or were not lawfully available in the hands of civilians."

He added—

> "Although the Volunteers would all most readily accept a 'special' retainer in plain clothes, they will, I am sure, be excused if they feel some repugnance at being utilized as special constables in uniform, and armed with rifles and carbines which they dare not fire without the risk of outstepping the law."

He trusted that the Government would come to the decision that exact regultions ought to be issued by the Home Office to the magistracy, and by the War Office to the officers of Volunteers, containing information on the following questions:—First, how Volunteers were to protect their arms? He imagined that upon this point the law would be clear, and that Volunteer officers might protect their arms in the same way that every private gentleman might protect his house. If this was the law it ought to be clearly laid down. The next question was whether, as the law stood, they might act in their military capacity in quelling disturbances? He supposed that they could not. Another important question which the Government would have to answer was this—Should the Volunteers as individuals act in uniform, and should they use the Government arms? He himself thought the answer to that question ought to be clearly in the negative. If they encouraged the Volunteers, not in a military capacity, not under discipline, and acting just as they pleased, at their own discretion to use firearms against their fellow-citizens, the most lamentable consequences might ensue. A further important question was this—Should the law be altered in any way so as to enable them to act in a military capacity, and under discipline, in the same manner as the Yeomanry now acted and as the Volunteers themselves might have acted up to 1863? He hoped the Government would seriously consider before they brought in a Bill for any such purpose. At a recent meeting of almost all the commanding officers of the various London Volunteer corps, a resolution, moved by the noble Lord the Member for Haddingtonshire (Lord Elcho), was passed, to the following effect:—

Mr. W. E. Forster

> "That it is desirable that the legal position of Volunteers, in the matter of suppressing riots and tumults, should be clearly defined, for the guidance alike of civil authorities and Volunteers; and, while learning with satisfaction that those subjects are engaging the attention of the Government, it is further the opinion of this meeting that it would not be desirable to renew the provision of the old Volunteer Act, under which Volunteers were liable to be called out for the suppression of riots and tumults."

But the following paragraph was added to the Resolution on the motion of the noble Lord the Member for Chester (Earl Grosvenor):—

> "But that on any great emergency or raid, supposed, upon good information, to be fomented by foreign or external influence, and to affect Her Majesty's Supremacy, and in all cases of any threatened attack upon armouries or magazines, Volunteers may be called upon to act in their military capacity."

The first objection to that declaration was its vagueness, and if a Bill was framed to meet the case, it must be upon the terms of the Bill of 1863, empowering the lord-lieutenant to call out the Volunteers. He supposed the words, "fomented by external influences," referred to some such movement as that which lately took place at Chester. He presumed that if there were any real danger in England all the Volunteers, like everybody else, must help the civil power; but it would be most unwise to anticipate such an emergency by making provision for it by Act of Parliament. The Volunteers ought to be used as the very last resort in such a case. They ought first to use the police, the special constables, and the regular troops of Her Majesty; they ought even first to use the Yeomanry, and for this reason—that much more serious consequences would ensue from the fire of a company of Volunteers with Enfield rifles than from the action of the Yeomanry Cavalry. If any great emergency arose it would be the duty of the Government to come to Parliament, and pass a Bill with the greatest expedition enabling them to make use of the Volunteers. He thought the Government must take on themselves the responsibility of such an emergency, and if they found that the bringing in of a Bill was necessary for meeting it the House would probably pass it with due expedition. He believed the Volunteer movement had done great good. It had put an end to the panics which arose from a sense of a weakness in the country. There was much talk about an army of reserve; but they must look on the Volunteer force as their reserve. Working men and, indeed, men of all classes and political opinions were brought together by, and joined in, the Volunteer movement. But if once such a Bill as he had referred to were passed, instead of a national movement it would become a class movement; many would leave it because of their class and of their political opinions, and, what was still more dangerous, many might remain in it because of their class and of their political opinions. Thus the force would be ruined as a means of national defence.

SIR HENRY EDWARDS: In consequence of the quotation just made by the hon. Member for Bradford, from a speech of his delivered in 1863, when the late Secretary at War introduced his Bill for the regulation of the Volunteer Force, he begged to observe that, in common with many others who sat on the same side of the House, he had gathered the impression that the noble Lord was feeling the pulse of the House as to whether the Volunteers should be permanently placed on the same footing with the Yeomanry Cavalry, and for the future be liable to be called out in support of the civil power to quell riots and disturbances in the country. Finding, however, on subsequent explanation, that he had misconstrued the noble Lord's meaning, he took the first opportunity of communicating his mistake to the House.

EARL GROSVENOR said, he agreed with the hon. Member for Bradford (Mr. W. E. Forster) that the most melancholy results might accrue from the employment of the Volunteer force under ordinary circumstances. But he could not help feeling that but for the presence of the Volunteers lately at Chester the most melancholy results might have ensued, and he had no doubt it was very much owing to their action on that occasion that a disaster was prevented. The military force in the Castle was very weak at the time; it was only one company, though another came in the middle of the day on Monday, and another arrived later. The Volunteers, however numbering 300 men, were on the spot, and that, he must say, affected materially the plots of the Fenians. He understood the hon. Member for Bradford to say it would have been better to have called out the Yeomanry; but that could not have been done so easily or so expeditiously. The Serjeant Major was away on business in the country, and difficulties might have occurred before they got the troop together which would not probably have been till Tuesday, or twenty-four hours after the danger arose. He would read to the House a letter from Major Humberston, the Volunteer officer concerned, and lately a Member of that House, who had behaved in the manner which might have been expected from him. That gentleman said—

> "Dear Lord Grosvenor,—I send you a copy of the letter I wrote to the lord-lieutenant, which details the proceedings of the Volunteers on the 11th of February. When first I decided to call out the Volunteers nothing was said about their acting as special constables. I told the magistrates that I considered an attack upon the Castle would be levying war upon the Queen, and therefore that we should be justified in acting. I never felt any doubt that if we were to meet armed Fenians the Volunteers must act with their arms; but I did not parade them with arms during the day, as the arms were at hand in the Castle, and I thought it better not to make any unnecessary display. I believe considerable objection was felt by the Volunteers—indeed, some objection was expressed, to being sworn in as special constables; but the magistrates having made the request, and no reply then having been received by them from Mr. Walpole whether the Volunteers might act, I thought it might be misinterpreted, and would be setting a bad example if the Volunteers refused. I therefore asked the Volunteers to be sworn in, and they at once complied. There was a good deal of discussion on their being sworn in whether they should act in uniform and in military formation or in plain clothes; and it was agreed they should re-assemble in uniform. My intention throughout was they should act with arms unless the most stringent prohibitory orders were received from head-quarters. We therefore never decided how we should act in case we had to act as special constables with staves. On our re-assembling and marching up to the Castle at seven o'clock the arms were immediately delivered out to the Volunteers. No ball-cartridge was served out, but I had three kegs of ammunition placed ready, and would have served out ten rounds to each man without a moment's delay. I spoke to the Volunteers at our general

parade last night, and the conclusion I came to is that Parliament must not convert Volunteers into policemen; that Volunteers must not be called out to quell ordinary disturbances; that they might be called out to quell extraordinary disturbances (such as the Fenians at Chester) if such extraordinary disturbances can be defined."

Great credit was due to the Volunteers for the manner in which they acted under Major Humberston; because, though the Fenians came by railway from all parts of the country, and the homes of the Volunteers were very much at their mercy, the latter, instead of remaining to defend their homes, assembled at Chester Castle and were ready to defend the public property of the country. When the Bill was brought in in 1863 the general feeling was that the Volunteers should not be called out under circumstances of ordinary riot; but it was not then foreseen that such an emergency might arise as a Fenian invasion of a quiet town in England. The question was discussed the other day at a meeting of the commanding officers of Volunteers in the metropolis, when the resolution which the hon. Member for Bradford had read to the House was proposed, and was carried, he thought, unanimously, or nearly so, together with the addition which he himself had the honour to move. There might be some difficulty in embodying that addition in an Act of Parliament; but the House would, he thought, agree with him in the opinion that it was deserving of consideration. If the Volunteers had not been prepared to act at Chester great loss of life would in all probability have taken place. He, under those circumstances, hoped that the Government would direct their attention to the subject, and, if they found that the law required amendment, that they would not fail to make a proposal to the House with a view to its alteration.

Colonel BARTTELOT said, the question which had been raised was one which was of the utmost importance, not only to the public, but to the Volunteer force itself. It was of importance to the Volunteer force; because when they undertook to defend their country against invasion they little thought, he believed, that in cases of civil disturbance they would be called upon to act against their fellow-citizens. Upon the decision which was arrived at on that point the stability of the Force, in his opinion, in a great measure depended. He quite concurred with the noble Lord who had just spoken, that the Volunteers, when their services were put in requisition at Chester, showed a determination to do their duty, on which reliance might be placed by the country, whenever their assistance was needed. He would say further, that no body of men would more faithfully defend their country. The real point at issue, however, was whether it was desirable that they should in ordinary times be called upon to act in their military capacity; and he maintained that it would be a fatal mistake to require them to take up arms except in case of invasion. It could not be too distinctly understood that a Volunteer was a Volunteer merely for that purpose. That for all other purposes he was a simple civilian, and that he was not in times of riot to turn out with his arms or in uniform. He might, of course, turn out as other civilians did, and act as a special constable, whenever the necessity for doing so arose. The Volunteers, indeed, might defend the Government arms placed in their armoury as any other property might be defended. If there were any doubt on the matter it would be well to introduce a Bill to that effect. But it was the sole occasion, save that of invasion, in which they ought to be at liberty to act as a military force. Entertaining those views, he would urge on his right hon. Friend the Secretary for the Home Department the expediency of bringing in a Bill defining the limits within which the Volunteers might act, so that there should be no doubt about the matter for the future. He quite admitted that the resolution as proposed by the noble Lord might in many cases operate wisely; but then it was vague and indefinite, and might, under ordinary circumstances, be productive of very great perplexity. It would be most unfortunate if the Volunteer force did not clearly understand their position, respecting which there ought to exist no doubt or difficulty whatever.

Sir GEORGE GREY: Sir, my noble Friend the Member for Chester (Earl Grosvenor) having alluded to what took place in the discussion on the Volunteer movement in 1863 during the time I was Secretary of State, I wish for a moment to refer to the course which was on that occasion adopted by the late Government. In preparing the Bill upon the subject my noble Friend, who was then at the head of the War Department (Earl De Grey), had before him the law as it stood with regard to the Yeomanry and Volunteers, which allowed those forces to be called out at the discretion of the lord-lieutenant of the county. The Government having considered the matter, proposed that the law should for the future be assimilated to the existing law, with this additional provision—that the Volunteers should never be called out to suppress any riotous proceedings except with the sanction of the Secretary of State. We did not then contemplate that any local authority, on such a sudden emergency as that which arose the other day at Chester, should summon them to its aid; but it was proposed that the lord-lieutenant might make a statement to the Government of the facts in any particular case in which serious disturbance was apprehended, and that the Volunteers might then, with the assent of the Secretary of State, if he thought fit to give it, be required to lend their aid in quelling the disturbance. It was further provided that if the Volunteers served under arms they should serve upon the same conditions as any other military force, and should be subject to the orders of their commanding officer and the provisions of the Mutiny Act. In the discussion, however, which took place on the subject the feeling of the House was clearly expressed as to the inexpediency of at all calling out a force so constituted as an armed military force in cases of internal riot, being of opinion that its services should be available solely to resist foreign invasion. The Government acquiesced in that opinion; the clause containing the provisions which I have mentioned was expunged, and the law as to the liability of Volunteers as such to be called out in aid of the local authorities in the suppression of riots was left clear and distinct, the principle being established that neither with nor without the assent of the Secretary of State were they to be made available for that purpose. The Volunteers, however, were still left liable to all those obligations which exist in the case of other subjects of Her Majesty. They remained liable to be called upon by the local authority to serve as special constables in aid of the ordinary police force. Then came the question whether in the fulfilment of those obligations they were to assume a semi-military character, and to appear in uniform, carrying their arms? The emergency which arose at Chester was no doubt a very serious one, and I do not blame the right hon. Gentleman opposite (Mr. Walpole) for the orders which he issued on that occasion. I must at the same time say that I think it would, as a general rule, be clearly wrong that the Volunteers should be required to act as special constables under conditions different from those enforced in the case of their fellow-citizens. It would, in my opinion, be extremely undesirable to leave it to any local authority to determine whether they ought to carry arms with them to use at their own discretion, while they were not liable to the ordinary control to which soldiers are subjected. With regard to the protection of armouries, he did not see that the law required alteration. As was pointed out by the hon. and gallant Gentleman opposite (Colonel Barttelot), the Volunteers might, like any other persons, resist lawless attack on a place like Chester Castle, containing their own arms or other military stores, using the Volunteer arms or any other arms for the purpose. I cannot, under these circumstances, see that the law requires any amendment. It appears to me to be clear that the omission of the clause to which I have already alluded in 1863 indicated distinctly the intention of Parliament that there should be no power to call out the Volunteers to put down a riot. There is the less necessity for giving that power, because of the rapid manner in which troops can now be moved from one part of the country to another. Besides, we have a force which has been, I think, referred to by the right hon. and gallant Gentleman the Member for Huntingdon (General Peel)—the force of pensioners, consisting of old soldiers accustomed to military discipline, who may, with the sanction of the Secretary of State, be called upon to act, as has been often done, in aid of the civil force without any of the inconvenience likely to arise from the employment of the Volunteers. I trust, therefore, my right hon. Friend opposite will be able to issue instructions which will remove all doubt on the subject, and prevent any possible inconvenience from the want of a clear understanding of the law in regard to it.

MR. WALPOLE: Sir, before I refer to the subject brought under our notice, I wish to state that since this discussion commenced I have received another telegram with respect to the state of affairs in Ireland which I think it right that I should communicate to the House at once. It is as follows:—

> "Accounts since morning have come in stating that in the counties of Clare and Limerick a great number of farm-houses have been entered in the dark for the last two days, and the arms taken

by small parties. Uneasiness in the South has not subsided."

[An hon. MEMBER: At what hour was that telegram sent?] The hour is not given. With regard to the question which has been put to me to-night by the hon. Member for Bradford, I may remark that in his own observations, as well as in the observations of the other hon. Gentlemen who have addressed the House, not even excluding my right hon. Friend who has just sat down, there is a misapprehension in reference to the employment and the movements of the Volunteers at Chester which ought to be at once removed. My hon. and gallant Friend behind me (Colonel Barttelot) especially has proceeded on the assumption that the Volunteers were required to act and did act on that occasion in a manner not contemplated by the law of the land. There is a mistake in supposing that such was the case, which will be made apparent at once by the statement that on that occasion there was no employment of Volunteers as a Volunteer force in their military character. With respect to that part of the hon. Member's question, which points to the uncertainty of the position of the Volunteers, there is only uncertainty in it in the same way as there is uncertainty with respect to special constables; so far as I am aware, there is no other uncertainty in the law. Allow me to explain the matter as briefly as I can. We have to consider three things—first, the circumstances under which the Volunteers appeared at Chester and were prepared to resist, in aid of the civil power, any movement against the castle; secondly, the general law of the land applicable to all classes of Her Majesty's subjects in such a case; and thirdly, the peculiar application of that law to Volunteers. With respect to the first point, the facts of the case are simple. There is no doubt that this was not a riot in the ordinary sense of the word. I need not say that a riot is totally distinct from insurrection. The facts show that it was an intended insurrection against the town of Chester, and that the felonious intention was entertained of taking Chester Castle. There was therefore something more than an ordinary riot contemplated. There was an insurrectionary movement, which had to be met as such, and the question is, what force the civil power may bring to bear in resisting a movement of that character? The general law with respect to such a case has been laid down clearly and distinctly, not only by the older, but by the more modern authorities. Take the case of Lord George Gordon's riots, which came before the Lord Chief Justice Mansfield, and the equally important case of the Bristol riots, tried before Chief Justice Tindal. The law, as laid down by those two learned Judges, is now so clearly, distinctly, and definitely settled, that no uncertainty can exist. I will read a few passages from the expositions of the law given by those Judges, and in accordance with those passages you must apply the law to Volunteers, acting, not in their military capacity, but as subjects of the Queen. Lord Mansfield said—

> "It appears most clearly to me, that not only every man may legally interfere to suppress a riot, much more prevent acts of felony, treason, and rebellion, in his private capacity, but he is bound to do it as an act of duty; and if called upon by a magistrate, is punishable in case of refusal. What any single individual may lawfully do, so may any number assembled for a lawful purpose, which the suppression of riots, tumults, and insurrections certainly is. . . . A private man, if he sees a person committing an unlawful act, more particularly an act amounting to a violent breach of the peace, felony, or treason, may apprehend the offender, and in his attempt to apprehend him may use force to compel him, not to submit to him, but to the law. What a private man may do a magistrate or peace officer may clearly undertake, and according to the necessity of the case, arising from the danger to be apprehended, any number of men assembled or called together for the purpose are justified to perform. This doctrine I take to be clear and indisputable, with all the possible consequences which can flow from it, and to be the true foundation for calling in of the military power to assist in quelling the late riots."—[*Hansard, Parl. History*, xxi. 695.]

These words were uttered by Lord Mansfield in the House of Lords. On the trial, Lord Mansfield said—

> "The common law and several statutes have invested justices of the peace with great powers to quell riots, because, if not suppressed, they tend to endanger the constitution of the country; and as they may assemble all the King's subjects, it is clear they may call in the soldiers, who are subjects, and may act as such; but this should be done with great caution. It is well understood that the magistrates may call in the military. It would be a strange doctrine if, in an insurrection rising to a rebellion, every subject had not the power to act when they possess the power in a case of a mere breach of the peace."

Chief Justice Tindal confirmed these opinions, and expressed himself in a manner which ought to be generally well known and understood, because it puts the law with respect to the subject in the clearest light. He said—

> "And while I am stating the obligation imposed by the law on every subject of the realm, I wish to observe that the law acknowledges no distinction in this respect between the soldier and the private individual. The soldier is still a citizen, lying under the same obligation and invested with the same authority to preserve the peace of the King as any other subject. If the one is bound to attend the call of the civil magistrate, so also is the other; if the one may interfere for that purpose, when the occasion demands it, without the requisition of the magistrate, so may the other too; if the one may employ arms for that purpose when arms are necessary, the soldier may do the same. Undoubtedly, the same exercise of discretion which requires the private subject to act in subordination to and in aid of the magistrate, rather than upon his own authority, before recourse is had to arms, ought to operate in a still stronger degree with a military force. . . . . And here I most distinctly observe, that it is not left to the choice or will of the subject, as some have erroneously supposed, to attend or not to the call of the magistrate as they think proper; but every man is bound, when called upon, under pain of fine and imprisonment, to yield a ready and implicit obedience to the call of the magistrate, and to do his utmost to assist him to suppress any tumultuous assembly."

Now, let the House observe that, by the general law of the land, it is the duty of every subject of the Crown, in the event of an insurrectionary movement, to aid the civil power, when called upon to do so, by such means as are within his reach. But, in applying the case to the position of the Volunteers, you unquestionably cannot consider them in the same light as a military body, bound to come out at the command of the civil authority; but you must consider them with reference to the Acts applicable to them, and in the same light as any other subjects of the Crown, so bound, but not serving in a military capacity. Besides the regular army there are four services of a *quasi*-military character: The Pensioners, the Yeomanry, the Militia, and the Volunteers. With respect to the Pensioners, they are bound by statute to aid the civil power in case of an insurrectionary movement. The Yeomanry, by the terms and conditions of their service, and the Militia, which may be embodied, are also bound, under certain circumstances, to aid the civil power in case of insurrection or rebellion. With respect to the Volunteers, it is unquestionably the case that, by statute, they cannot be called on and compelled to serve in their military capacity, because such are not the terms on which they entered upon that particular service. That being so, they are in the situation of any other subject of the Crown, who may be called on by the magistrates or civil authorities, when there is danger of tumult, riot, or felony. It was under these circumstances, then, and having reference to this, that I adverted to the state of the law, when I transmitted that succinct telegram sent to Chester in the middle of the day; but, succinct as that telegram is, nothing can be clearer than that telegram, and every one of its parts is strictly in accordance with the law. The first part stated that the Volunteers ought not to act in their military capacity. That was so stated, because the statute would not require them to come out in that character. The second part of the telegram declared that, in the event of disturbance, they would be justified in aiding the civil power in their individual capacity. That is strictly law. It is just what they can do and just what any subject of the Crown is bound to do, and what they must be prepared to do in the event of a dangerous insurrectionary movement. The third part of the telegram stated that, in the case of serious emergency, they would be justified in using their arms. So, I have no doubt, any other special constables would be, just in the same way as they would have been justified in 1831, and also in 1848, in case of need. But then comes the general question—ought they to be so employed? I have no doubt on that point. I can see no reason why Volunteers, acting as individuals, may not offer their services to the civil authorities, nor can I see any reason whatever why the civil authorities may not call on them in their individual capacity, just in the same manner as on other persons, to aid the civil power in the event of an emergency. Then comes the question—if they can volunteer their services in aid of the civil power, and if the civil authorities can require them to act as special constables, when tumult or felony is apprehended as likely to take place, ought they to act as an organized body, and so, more or less, appear in their military capacity? On this question in point of law I believe there is no doubt also. The Volunteers come out in their individual character, and coming out in that character they may be employed by the civil magistrate to quell civil disturbance in the manner most effective for the purpose. Since they have been accustomed to act and co-operate with each other, I can see no reason myself why, volunteering to aid the civil power, they may not place themselves side by side with their companions in resisting an aggression amounting to an insurrectionary movement.

Then arises the question whether they can use their arms? To that I reply that they can do so, but only in the way, and in no other way, that other subjects of the Crown are justified in using arms in case of emergency. I see no reason in law, or on grounds of policy, why the Volunteers should not, in an extreme case, be justified in using their arms. Let it not be supposed for a single moment that I would have them use their arms in the case of an ordinary riot. But I would still less be disposed to deprive the civil authority, in the case of a serious insurrectionary movement, of the opportunity of availing themselves of the Volunteers, not in their military character, or as an organized body, but as subjects of the Crown at the disposal of the responsible civil authorities for the purpose of resisting any insurrectionary movement. This I believe to be the exact state of the law. They cannot be compelled to come out in their military capacity. But they may be called upon, or they may volunteer their services, like other subjects of the Crown, and so long as they only act as any other subjects of the Crown, no objection can be urged to their acting in any case of emergency. The hon. Member (Mr. W. E. Forster) asks whether that state of the law is so certain that some instructions ought not to be given to guide the civil and military authorities with reference to the use of the Volunteers? I have taken the opinion of the Law Officers of the Crown, and I believe I have stated nothing which will not turn out to be the law according to that opinion; but it is a matter of so much importance, and so much uncertainty appears to exist upon it, that I do think instructions ought to be carefully drawn up, and sent both to the civil and military authorities, defining as nearly as can be defined the circumstances under which the civil authorities may call upon military aid in any case, whether with regard to the regular military force or the other bodies which bear more or less a military character. At the same time I ought to state, in consequence of the observations of the hon. Member, that he will find it an utter impossibility to define and describe every case beforehand, in which the military may be brought out to assist the civil power. Some latitude must be left, and it can only be left to the civil and military authorities that are called on to act at the time, according to the circumstances of the particular case. I believe it will be utterly impossible, and it would be very unwise, to attempt by any iron-bound rule to state every case in which that action might or might not be required. One other observation. A question was addressed to me by the hon. Member for Bradford, as to whether I contemplated any alteration in the law. I contemplate none. I should be extremely sorry that the Volunteer force should ever be required to act as a general rule in cases of civil disturbance. That was not the purpose for which the Volunteer force was called into existence. At the same time, I must guard myself from saying that there are no cases in which the Volunteers may not usefully, of their own accord, and in cases of emergency even in co-operation with each other, act together in aid of the civil power, just as other subjects of the Crown may when such emergency occurs. I hope I have now adverted to all the points touched by the hon. Member for Bradford. The Mayor of Chester was authorized to call upon the Volunteers to prepare themselves for any emergency that might arise; having done that, the discretion would be left to them—and a very serious discretion for them to exercise—to determine the particular case in which they would be required to use their arms. The case in which they would be so required would be any insurrection amounting to an overt act of treason, and in such a case resistance on the part of the Volunteers, as well as on the part of any subject of the Crown, would be justified in point of law, and would be required on their part as good subjects to suppress the insurrection.

Mr. BRIGHT: The impression on my mind, after hearing the speech of the right hon. Gentleman, is, that he has not made the subject more clear than it was before. If I were to put his answer into a few words he seems to have said: The Volunteers may; and may not. This is the first time I have said a word in the House of Commons on the subject of the Volunteers; but I recollect very well when the force was first organized that it was one of the statements made expressly to the public, and so understood by the public, that this force would not, under any circumstances—which we then could ever conceive—be likely to be called upon to suppress internal tumults. It has been in all times hitherto possible to keep the peace, first by the general good sense of the nation; if that fails, by the police, by special constables, and by the regular military force. At this time the police is more numerous, better organized, and more efficient throughout the country than at any former period. Special constables are not less likely to act than at any former period. A given number of the troops may be made more efficient now than in past times, for they can be moved more rapidly across the country. Therefore, if there was no necessity for any other force before the Volunteers were formed, there can be no need now that Volunteers should be called out for purposes of this nature. [Mr. WALPOLE: They were not so called out.] We are discussing whether they may be called out. There is one very strong reason why they should not be thus employed, because as a general rule they would be employed against their neighbours. And I hold that when you come to apply force that is intended to be used if necessary with fatal effect, it is much better that that force should come through the regular army than through your neighbours who are armed. I hope the right hon. Gentleman will adhere to one-half of his speech, and leave the other to have no effect. I think the statement of the right hon. Gentleman (Sir George Grey), with regard to what took place when the force was organized, seems to embody the opinion that prevails generally through the country, and that the declaration was at that time made to quiet some doubts on the part of the people and to prevent the force from being unpopular. The noble Lord (Earl Grosvenor) referred to what took place in the ancient city he represents, or rather to what did not take place. I should like to ask the Government and the Home Secretary if there has been any inquiry into what took place at Chester. I should consider it a painful and dangerous state of things if ten or twelve hundred persons should come from towns in Lancashire and Yorkshire to attempt to take and sack Chester Castle. Judging from the newspapers it does not appear that any of the men—said to be strangers—who were in Chester on that day were found to be in possession of arms. I have not heard that any one had a musket or a revolver. The answer given to that is, they did not think it necessary to take arms, because they expected to find them in Chester Castle. It is the first time I have heard that a castle in which troops are stationed was to be attacked by men who went there without arms, expecting to be supplied within. Speaking from what I have seen in the papers, and especially from what I have seen in a Liverpool paper, I find it is asserted positively that out of the whole number of those strangers in Chester only a portion, and that not the largest portion, of them were Irishmen. If it be true that of those engaged in this Fenian plot at Chester not one-half were Irishmen, it would seem that a portion of the English population in the North of England were infected with this disloyalty and have been led into treasonable practices of this nature. I confess I do not believe it. I have not been able to observe in the part of the country I live in any symptom of it. But if we are to believe in this insurrectionary movement at Chester as a real thing—that only one-half of those engaged in it are Irish, and that the other half is English—it would seem that discontent and treasonable intentions have spread amongst some portion of the English population. I suppose the right hon. Gentleman the Home Secretary believes the whole of the Chester story. I do not believe it. But if I were the Home Secretary, and believed it, I would send some person to Chester on the part of the Government, to find out if it be true. The Government can easily find out if it be true. In Ireland they get information from all parts of that country, because there is no insurrectionary movement that has not amongst its supporters some men who are traitors to the cause. I recollect Earl Russell saying some years ago that, during the Chartist movement, they had no occasion to employ spies at the Home Office, having more information than they required. I believe that now, as during the Chartist agitation, if there were a Fenian movement of an insurrectionary character in Chester, it would be possible for Government, by sending some judicious person to that district, to ascertain how it originated and the purposes of the men who went to Chester that day. It is very important we should know the fact. Stated as it is by the noble Lord—believed as it is by many Members of this House—it is one of the most unpleasant things that has happened at a most particular time; and it is the duty of the Government to search it to the bottom in order that they may know if there exists a dangerous condition of things based upon insurrectionary intentions. I hope with regard to the particular matter which my hon. Friend the Member for Bradford has introduced, that the House will adhere rigidly to the opinion that was generally held at the time the Volunteer force was formed, and which has been expressed to-night by the right hon.

Gentleman (Sir George Grey), and by the hon. and gallant Gentleman opposite (Colonel Barttelot.)

EARL GROSVENOR: I wish, Sir, to be allowed a single word of explanation. No considerable number of arms was found. But on the morning following the Monday on which these people came to Chester great quantities of ball cartridges were found, not only in the town, but outside. Some of this ammunition was fished out of the ponds and canals. There were some arms found also, but I am not able to say what quantity.

COLONEL LOYD LINDSAY said, after the discussion that had taken place he could not help congratulating himself that he had not been called upon to act as a Volunteer officer in a case of emergency such as had been alluded to, because he felt that he could have had no definite instructions to act upon. He had listened attentively to the right hon. Gentleman (Mr. Walpole), and he felt that he had really received no information as to what Volunteers ought to do under the circumstances. With regard to the observations that had just fallen from the hon. Member for Birmingham, he was afraid military men would not receive instructions from him on that point with the same reverence they might on other subjects. It was contended that when Volunteers were called out as special constables their military and volunteer capacity should be superseded; but he could not agree to such a proposition. If a man acquired, after patient training and instruction, certain habits, these could not be suppressed at a moment's notice. They might as well expect a man who tumbled into the water to suppress his knowledge of swimming, or a prize-fighter, who suddenly got into a row, to suppress the scientific knowledge he had acquired of how to use his fists. The same remark applied to the Volunteers. They having acquired a knowledge of military movements, and certain of the capabilities of the soldier, it was impossible to expect them, on short notice, to suppress those qualifications. Nor, if Volunteers could suppress their military character, did he think it desirable that they should, for his sympathies were altogether with the peaceful portion of Her Majesty's subjects, and not with those roughs who might be disposed to break the peace, perhaps at the instigation of foreigners. Supposing a riot occurred in a town, the magistrate would at once proceed to call out the young men, and to swear them in as special constables; but these young men were for the most part Volunteers, and as they were well known to each other, had been drilled together under proper officers, and were practically acquainted with military duties, they would necessarily act as a military force, march as soldiers, and act in concert under their commanders. Going a step further, the right hon. Gentleman said it could easily be imagined that an emergency might arise which would justify a magistrate arming these young special constables, who also happened to be Volunteers. So that then, almost unintentionally, they would have armed Volunteers called out to assist the civil power. That being the case, was it to be expected that these men would not act together? They were not called out as Volunteers, but, being armed in their capacity of special constables, were they to suppress their acquirement of acting together? He thought it would be a most dangerous thing to allow Volunteers, as such, to go forth armed with their own arms unless they were under proper command and control. Training and discipline did a great deal. The military, for instance, were often called out to suppress riots; but even under the strongest provocation they invariably acted with the greatest forbearance. The same remark applied to the police. Now it was not because these bodies of men were any better, or were possessed of more kindly dispositions than other people, that they thus acted with moderation; but because they were under discipline. They were accustomed to act together and to obey commands. And so would it be in the case of the Volunteers if they also acted under military discipline. It was accordingly absolutely necessary, if they were called out, and if the magistrates saw fit to arm them with rifles, that they should be under command. If, therefore, the magistrates had the power to call them out as special constables and to arm them—[*Cries of* "No, no!"]—he had always understood that the legal authorities were of opinion that it was one of the privileges of Englishmen that every man in this country had a right in his own defence, and, if the emergency were sufficiently great, to carry arms. ["Yes!"] Well, was the right to be taken away from a man merely because he was a Volunteer? The Volunteers, then, had the same right as other Englishmen to carry and to use arms. Moreover, it was to be remembered that in many cases the arms which the Volunteers carried did not belong to the Government, but were their own. If, therefore, these arms were in their possession when called out they could certainly use them. But if they were to be allowed to use them the men must be placed under command, or calamities of the wildest and worst character would be occurring. Precise instructions should be forthwith issued to Volunteer officers. What occurred at Chester was a proof of the necessity of this. The hon. Member for Birmingham (Mr. Bright) did not believe that what had occurred at Chester was so serious as was stated. But he was not there to see. The noble Lord the Member for Chester (Earl Grosvenor) was there, and he reported that affairs had been very serious. The House could therefore easily decide who was the more likely to be the better informed on the point. He (Colonel Loyd Lindsay) ventured to submit to the Government that some such instruction as the following, if issued to Volunteers, would enable them easily to decide what course of action to pursue in cases of difficulty :—

> "Volunteers are under precisely the same obligations as other private persons to suppress riots by every means in their power ; and when properly constituted as special constables it is their duty to act so as to preserve the peace. Volunteers when so acting should be armed precisely as other special constables with staves. But should circumstances be of so grave a character as to warrant magistrates arming them with arms, in no case should Government arms be used by them except the men are under the command of the officers to whose care the arms are intrusted."

REPRESENTATION OF THE PEOPLE—MINISTERIAL ARRANGEMENTS.

QUESTION.

MR. AYRTON: The more this subject of the employment of Volunteers by the civil powers is discussed, the more confused it becomes. The real question is not one that specially relates to the Volunteers. Having taken a part in the discussions of the Bill under which the Volunteers were established, I can say that the House arrived at the conclusion that there should be no special legislation with respect to the employment of the Volunteers. The law takes no cognizance of Volunteers for the preservation of the peace, and all we have to say to them is that they should perform the duties of loyal subjects. But what is the use of discussing the duty of loyal subjects? It would be discussing the whole law of England. Before I sit down I wish to ask a question of the Chancellor of the Exchequer. A few days ago, when the right hon. Gentleman informed the House of the painful disruption of Her Majesty's Government in their endeavour to agree upon a Bill for Parliamentary Reform, he also stated that, at the latest, to-night he would be able to tell us that Her Majesty's Government had been re-constructed, and that the re-constructed Government would, at furthest on the 18th instant, bring in a Bill upon Reform. Since then rumour has been very busy, and we have heard many versions of the endeavours of Lord Derby to re-construct his Administration. We have been kept in the greatest state of anxiety, because Gentlemen on this side of the House anticipate a pleasure which may not be shared in by Gentlemen opposite—of seeing a Reform Bill introduced at no distant day; and we dread lest we should be disappointed by any unfortunate failure of the attempts of the head of the Government to re-construct his Administration. To-night our anxiety has been somewhat appeased by the Motions that have been made for new writs; but still we have not received the full information which the House of Commons always expects to have from the Leader of the House when such a great change takes place in the constitution of the Government of the day as we have recently witnessed. I therefore hope the right hon. Gentleman will now be able to inform us that he is a Member of a complete Administration, and that he will be able to give us an assurance that the promise he held out to us will be fulfilled—that on the 18th instant we shall see a Reform Bill introduced, large and comprehensive in its character, and simple in its provisions, which shall commend itself to the forbearance of the Opposition, and to the respect and enlightened public opinion of the country.

THE CHANCELLOR OF THE EXCHEQUER: Sir, in answer to the inquiry of the hon. and learned Gentleman, I have the satisfaction to state that the Government is at present complete. I anticipated on Monday that it would be, and I hope by the end of the next week it will be completely represented in both Houses of Parliament. The writs that have been moved to-night have sufficiently intimated to the House the arrangements that have been made with regard to the House of Commons. In the other House of Parliament the Queen has been graciously pleased to confer the seals of Secretary of State for the Colonies upon the Duke of Buckingham. The Duke of Marlborough has been appointed Lord President of the Council, and the Duke of Richmond has accepted the office of President of the Board of Trade. Under these circumstances, I have great pleasure in stating that I have no doubt I shall be able to fulfil the engagement I made that I would, on the 18th instant, introduce a Bill on Parliamentary Reform.

EMPLOYMENT OF VOLUNTEERS IN CIVIL DISTURBANCES.

OBSERVATIONS.

MR. THOMAS HUGHES said, that the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) stated that it was useless to discuss what were the duties of a loyal citizen in that House; but the hon. Gentleman should remember that he was not himself a Volunteer officer, and that Volunteer officers asked a practical question, requiring an answer. He came down to the House that evening in the hope that he should hear from the right hon. Gentleman the Home Secretary what would be his duty and what his responsibility in such an event as that which took place at Chester; but he must confess that he felt then in a more hazy state than when he entered the House. He was told that he could not be called out as a Volunteer, but that he might be called out as a special constable, and as such have arms put into his hands. He was also told that other men with whom he had been in the habit of acting as Volunteers might be called out in their uniforms, and have arms put into their hands; but he did not know whether he, as a Volunteer officer, should be in command of these men under the Mutiny Act. These were serious questions, and he himself should have to consider very carefully whether he could remain a member of the force. As a practical matter for the Home Secretary to consider before issuing his instructions, he could say, from intimations he had received, that unless the law was stated definitely, and they could understand whether they were to act as special constables in uniform, with their arms, under the command of the officers usually commanding them, he should have, in his own corps, the resignation of almost half of the members. The Volunteers required to know, in one way or the other, what was their duty. He agreed with the hon. and gallant Member for Sussex, and the hon. Member for Bradford, that, as far as their armouries went, they would be justified in acting in military formation in order to defend the arms given to them; but in all other cases of civil tumult it ought to be emphatically laid down that they should go out as special constables with staves, and staves only.

MR. SCOURFIELD said, he thought it should be clearly understood that the Volunteers had the right to defend their own arms. The recent attempts at insurrection had been directed against armouries, with the view of getting possession of arms; and it would therefore be as well clearly to make known to the commanders of Volunteers that they could defend their own arms, if they were attacked, with all their military skill and appliances.

THE ATTORNEY GENERAL: Sir, it is unnecessary to enter upon any very lengthened statement. I apprehend the law to be clear that the Volunteers cannot be called upon as a military body to assist the civil authorities for any purpose. That is a point at the one extreme which is clear. A point at the other extreme which I hold to be equally clear is, that the Volunteers are not released, in cases of riot or insurrection, from the duties that fall upon every subject of the Crown. Between these two extremes, of course, a great variety of circumstances may arise, as suggested by the hon. and learned Gentleman (Mr. Thomas Hughes)—circumstances relating to particular cases, which it is not practicable for any one to give an opinion upon until they arise. The hon. and learned Gentleman (Mr. Ayrton) truly said it was vain to argue what are the duties of loyal citizens in every emergency that may from time to time arise. Of course, in determining the duties of any individual, or class of individuals, you must take into consideration the circumstances of the individual and the circumstances of the class to which he belongs. That which on any given occasion may be the duty of one, may not be the duty of another. It is impossible by anticipation to say what shall or shall not be done upon any particular occasion by particular persons or classes of persons. But of this I am satisfied, that it is vain for any useful purpose to think of any legislation beyond what we have. We have it established that the Volunteers cannot be called upon as a military body by the civil authorities for any purpose. On the other hand, it is equally well established that they are not released from the discharge of their duties as citizens. What must define duty in each case is the necessity of the occasion. That is the only test by which any of us can arrive at the conclusion of what is proper to be done. We can arrive at our decision by no legal machinery. Unlawful riot must be suppressed, and not allowed to spread, and the requisite degree of force must be resorted to for the purpose. We must all decide what is our duty by applying our judgment to each occasion as and when it arises, subject to responsibility to the law for a proper discharge of the duty. There is no other way of solving the difficulty. Of course, after an event has happened, it is easy to describe the circumstances, and it is very easy to give an opinion upon it; but to ask the Government, or the right hon. Gentleman the Home Secretary, or any human being whatever, to describe by anticipation events and contingencies which may possibly arise, in order to found a law upon them, is simply impossible. The action to be taken must necessarily depend upon the character of the occasion. You may have cases of unlawful assembling, ordinary riot, felonious riot, insurrection, and rebellion. Where either the first or second of these only occurred, it would be wrong, in the first instance, in ordinary cases to call upon any but the police. A judicious magistrate, if he found a larger force than he first employed necessary, would then call out the special constables, preferring perhaps, in the first instance, those who were not Volunteers; and in the event of still further assistance being required, he would call upon the Volunteers to act as special constables, and would arm them with staves as the other special constables. If, however, a felonious riot broke out—if, to give one out of many instances that might be suggested, the town were in flames and the population intoxicated—the magistrate would be entitled to resort to all the means in his power, and to employ every force he could summon to his aid. I speak with reference to such occasions as the riots of 1780; but I hope it will not be supposed that I look upon the recurrence of such things as probable. I believe it to be highly improbable; but to define the law so strictly as to limit the power of those who are responsible for the preservation of order in any case which may possibly arise would be most unwise. I trust, therefore, that the House will not be disposed to pass any measure for limiting or defining with particularity the duties of any particular class of Her Majesty's subjects. That general directions may be usefully given I admit, but it is vain to define what course shall be adopted in every emergency. There must necessarily be cases in which difficulties will arise. Every one who holds a position of responsibility must be prepared to meet difficulties; and I am quite sure that the hon. and learned, and, if he will allow me to call him so, the gallant Member for Lambeth (Mr. Thomas Hughes), will not be the man to shrink from his duty because difficulties may arise in the discharge of it.

THE MARQUESS OF HARTINGTON: Sir, I do not rise to prolong this discussion, but merely to ask a question which I hope some Member of the Government will be able to answer, and which may do something to allay the uneasiness which evidently pervades the minds of the Volunteers. I wish to know whether the right hon. Gentleman (Mr. Walpole) will undertake, before issuing them, to lay the regulations he proposes on the table of the House. Notwithstanding what the right hon. Gentleman said as to misapprehension in the opinions of various speakers, I am afraid his own speech was not so plain as to show us the precise nature of the instructions he suggests. The impression which the right hon. Gentleman left was, that a Volunteer does not as such cease to be a citizen, and, that although he cannot be called upon *quâ* Volunteer in aid of the civil power, he may come out in aid of the civil power just as any other citizen may. What, however, the hon. and learned Gentleman who last spoke appears in common with other Members to overlook is that you have by law placed the Volunteer in a position which is not simply that of an ordinary citizen. Not only has the State drilled him at its own expense, but it has placed in his hands arms which are its and not his property. It appears to me, therefore, that it ought to be clearly defined what position an officer who is responsible to the State, not only as the commander of the force, but as the custodian of those arms will occupy, if the Volunteers are under any circumstances to be called out for the repression of disturbances. It might be the opinion of the magistrates and of the Volunteers themselves that an emergency had arisen which justifies them in coming out in aid of the civil power; but it might be the opinion of the officer responsible for the custody of the Government arms that it was not his duty to place those arms in the hands of the Volunteers. Are the Government of opinion that the officer ought, on the demand of the magistrate, to deliver up the charge of those arms, although it might be contrary to his own opinion? It seems to me that there are only two courses for the Government to adopt in order to make this question plain. They might strictly forbid the issue to Volunteers of the Government arms under any circumstances of this nature, reserving to themselves the power, in cases of emergency, to issue arms. Or, holding the opinion that Volunteers might, under certain circumstances, come out and possibly be armed, the Government might propose a clause something like the clause which stood in our Bill; thereby insuring that armed forces of men drilled and armed with weapons the property of the Government should not be allowed to act, except under military discipline and under the command of proper officers.

Mr. OWEN STANLEY said, he thought the commanding officers of Volunteers had a right to ask the Government to frame some definite instructions to lords-lieutenant, so that Volunteers in difficult circumstances might know how to act. He could assure the hon. Member (Mr. Bright) that very numerous bodies of Fenians came over from Ireland, both by way of Holyhead and Liverpool, for some days before the outbreak at Chester. Most of them were Irish, but many of them were Irish-Americans. After the outbreak at Chester they straggled away by hundreds to Holyhead and passed over to Ireland by the packets, but, on their arrival at Dublin, were arrested. From information he had received he believed that the plot was concocted by the Fenian leaders in Ireland.

Mr. AKROYD said, that his view of his duties as a commander of Volunteers had been in no degree cleared up by the explanations of the right hon. Gentleman the Home Secretary and the Attorney General. One remark made by the Attorney General seemed to him, as a Volunteer officer, the height of absurdity—that Volunteers might be called out in uniform, but must be armed with constables' staves. [The Attorney General: I did not use the word uniform.] No doubt, they were liable to be called upon to act in their private capacity; but he (Mr. Akroyd) wished to guard against the supposition that they were liable to be called out, except in their private capacity. If that were clearly understood it would get rid of considerable misunderstanding. If the Volunteers were called out as a corps at all, he should like to know under whose orders they would be placed, and whose would be the responsibility if they used their arms. The rifle with which they were armed was the very worst weapon that could be used in case of internal tumult. No one could say how far it would carry, or whom it would reach. The arms were usually placed in the armoury of the corps, but there were many cases where they were placed in the orderly room, where there was no protection and no one to guard them against a sudden assault. This was a matter well worthy the attention of the War and the Home Offices.

Sir HEDWORTH WILLIAMSON said, he wished to ask, whether the Government would lay their new regulations on the table before they were published?

Lord ELCHO said, he had heard several brother commanding officers of Volunteers express an opinion of the great doubt and uncertainty of the position in which this question had been left by the debate of to-night. It appeared to him that the Attorney General had placed the question so far in a clear light, when he said that there was no power under the existing Act to call out the Volunteers *quâ* Volunteers; that they were simply citizens, and like any other citizens, liable to be called out where occasion required by the proper authority. He apprehended that those who called them out on their own responsibility would arm them, according to the emergency, not as Volunteers, but as individuals. Clearly, if the emergency were so great that individual citizens might be armed with deadly weapons, then Volunteers, acting together as individuals, could not be deprived of that power of acting as a body which their constitution gave them. A very strong and unanimous feeling was expressed at the late meeting of Volunteer officers that the old law should not be re-enacted, and that Volunteers *quâ* Volunteers should not be liable to be called out. There was also a feeling not less unanimous, that occasions might arise when, as at Chester, it might be greatly to the advantage of the State that it should have a body of men who, on an emergency affecting Her Majesty's Supremacy, might be called upon to aid the civil power. The hon. Member for Birmingham had drawn a wrong distinction between the circumstances of the present time and those which existed when the force was re-established. The hon. Member said there was no question at the latter period of employing the Volunteers in suppressing tumult and riots. But this was not a case of tumult, but of treason—not a case of riot, but of rebellion; and although the hon. Member and a portion of the press might throw ridicule on what had occurred at Chester, yet he believed it to have been an attempt at treasonable insurrection against Her Majesty. In such a case he would rather take the opinion of the local authorities, who were actors in the events, than the opinion of the hon. Member for Birmingham. The inquiry recommended by the hon. Member would be utterly needless, because it could not be doubted from the information received by the Government that this was a plot, an organized treasonable conspiracy against Her Majesty's Supremacy, and an attempt to gain possession of arms belonging to Her Majesty in Chester Castle. He trusted that the right hon. Gentleman (Mr. Walpole) would draw up short instructions showing whether Volunteers were to act on such occasions as citizens or soldiers.

PARIS UNIVERSAL EXHIBITION, 1867—SEARCH OF PASSENGERS' BAGGAGE.

RESOLUTION.

Mr. BERESFORD HOPE, in rising to move a Resolution in favour of the suspension of the search of baggage of passengers arriving from France during the period of the French Exhibition, said, it was his intention to take the decision of the House upon it, as it proposed to get rid of a grievance which was wantonly inflicted on a large number of Her Majesty's subjects. That grievance arose from what he ventured to call a red-tape prejudice. Ever since the time of the last French Exhibition, there was a growing feeling in the country against the wanton search among passengers' luggage for non-existing articles, and for articles with regard to which Customs duties did not exist, which produced so much trouble and vexation to persons travelling between Folkestone, Dover, and France. Upon this subject 124 Members of the Upper House, and 318 Members of the House of Commons, presented themselves in solemn deputation a few weeks since to the Treasury. They submitted their case to the Chancellor of the Exchequer, and he received them with that dignified courtesy which was inherent in his nature. He heard their case, shook his head, and sent them off with a Papal *non-possumus*. All they had then to do was to throw themselves upon the House, and show how futile were the reasons of that venerable Board of Customs which instructed the Treasury. On this question he would read a short opinion as to this search of luggage—an opinion which, on account of its brevity, should be the text of his remarks. That opinion was to the effect that after all the allowances to be made the system of examination must always be productive of inconvenience and vexation to the public, and could only be justified by imperious necessity. The name subscribing that opinion was the justly respected one of George Ward Hunt, and it was contained in a letter to the Member for Stockport (Mr. Watkin) and Lord Harris, the chairmen of the two companies most affected. A paper had been circulated that morning containing two learned discourses from the Board of Customs, and a second series of learned discussions in the form of letters from the Treasury repeating the text of the former. These documents, while entering fully and with great accuracy into the whole system of the balance of trade between England and France, and stating what was the price of tobacco and spirits, and how much had been exported and imported; had yet to make the confession that there were only two articles at present liable in any appreciable extent to any Customs duty—namely, spirits and tobacco. But the Board of Customs had omitted from that statement all reference to the mode and machinery of smuggling. The Board were wrong in supposing that the remonstrants asked for unlimited leave and licence to carry all or any baggage or packages between France and England. They asked for no such preposterous privilege. They only asked to be allowed to carry without examination that which was clearly and obviously passengers' luggage—portmanteaus, trunks, and bags, which they required; that in respect of merchandize—that is to say, of all packages which proved themselves by their shape and construction not to be passengers' luggage—all the existing regulations might continue in force. They asked for a limited relief for a limited class of goods, and they asked it from about the 1st of April onwards down to the period of the close of the Exhibition. They could not force the French Government; but judging the concessions by France in 1855, it was probable that any liberal step on our part would be met in a corresponding spirit. He wished the House to consider what a heavy and bulky article spirits were, and to look at the difficulties in the way of their being surreptitiously brought over to this country. They must be brought by a passenger, who had to pay £4 or £2 for his ticket. A passenger could only bring over 56 lb. weight of luggage from Paris without extra charge, and it was preposterous to suppose that, under these conditions, there could be any smuggling of spirits sufficient to affect the revenue within the limits of the under-weight. Cheap and nasty spirits could be obtained in England as cheap and nasty as in France. An Englishman drunk his gin as a Frenchman did his absinthe. Cognac of a superior quality was an article of luxury for limited consumption at gentlemen's tables, and therefore not likely to be smuggled; but there was scarcely any appreciable difference in price between ordinary English and French brandy. A certain liquor called Betts's British brandy, costing 18*s.* a gallon, was about as palatable or unpalatable, as gentlemen might think, as French brandy of a similar quality at 21*s.* Now, then, this fluid was, as every one knew, bulky and weighty—so, also, was every vessel in which it could be stored without fear of breaking or spilling. He had himself that day weighed the bottle in which brandy was usually put, and found it to be 1 lb. 10 oz., while, were it put in pipkins the vessels containing the liquid would still be very heavy. Here he could offer a wrinkle to the Treasury. Let them just arrange for the railways porters to be only a very little more rough than they usually were, and he would undertake that with no further trouble to the Customs Department any amount of brandy smuggled in bottles would come out a very disagreeable mess of smashed glass. Surveillance, if not of a very vexatious kind, was not objected to, and so smuggling was carried on by passengers there would be no difficulty in detecting it by means of a police system, exercised, not by companies of Mr. Pollaky's inquiry officers, as the Treasury seemed to suppose, but by their own Customs officers; with such arrangements it was preposterous to suppose that in portmanteaus and paper parcels brandy could be smuggled to any appreciable extent. If a gentleman smuggler contemplated such a thing as bringing over six dozen of Cognac, weighing 280 lb., he would have to pay, not only the cost of his ticket, but 1*s.* 6*d.* for every extra 10 lb. beyond the 56 lb. allowed him —the 1*s.* 6*d.* being the excess charged on the South Eastern, and the London, Chatham, and Dover lines. It was absurd to suppose that half-a-dozen persons would club together to bring over this spurious article. Now as to tobacco, cigars were doubtless a much lighter ware; but it must be remembered that in France tobacco was an article of Government manufacture, and it was not the right of anybody to open a tobacco shop, or charge his own price, for this was treated as a very strict monopoly and privilege, and was usually granted to officers' widows, in lieu of a pension. Of course, Madame la Capitaine is too great a lady to exercise the privilege except by deputy. But she makes the deputy pay high. He had the particulars of one *bureau de tabac* in the Rue de Dunkirk, Paris, where the man who kept it had to pay £160 a year as royalty to the lady besides the landlord's rent. And yet, owing to the monopoly, it was only at such shops that tobacco could be got at all. What possible room was there, he asked, for possible smuggling under such conditions? The selling price of tobacco in France was about 4*s.* per lb. He really believed that his hon. Friend the Secretary for the Treasury (Mr. Hunt), with that ingenuous generosity which distinguished his every thought and action, almost fancied that the gentleman smuggler was so upright that every article produced by him might be supposed to be imported from the country from which he professed to have come, instead of being the production of British labour. His hon. Friend would possibly suppose that the sailor-looking man who might meet him at Margate or Ramsgate, and who, with the "tip" of a "knowing wink," would offer cigars for sale with the implication that they were "really good cigars," and had been brought from France, was a veritable smuggler, though in some better informed quarters there might be a suspicion that the article was of home manufacture, and the smuggler a person who was sinning not against the revenue, but only against truth. If a gentleman was silly enough to bring over a bottle of brandy which he felt a pride in putting upon his table as "stolen waters," or if a lady brought over a bottle of scent which Rimmel could make here at the same price, he (Mr. Beresford Hope) did not think that their folly would produce an appreciable diminution in the revenue. As to the traffic between the two countries, this was expected to be a very crowded and turbulent year; and therefore it was utterly fallacious to suppose that the figures which had been put forth by the Treasury as the average of time employed in the search of each passenger's luggage, could furnish any test of the trouble and time to be occupied in searching passengers' luggage during the period of the Paris Exhibition. Besides, the amount of inconvenience incurred could not be calculated by any arithmetical test, mixed up as it was with the disturbing element of sea sickness. In a word, this search was likely to become a gigantic evil, and he called upon the Government to apply a remedy; but the Government met them with cut-and-dried figures, though he believed it was a mere chimerical evil that they were seeking to put down. He hoped that the prayer of nearly half the Members of that House, and of more than 100 Members of the other House, would be granted, and that every facility would be given for expediting the search of passengers' luggage during the continuance of the Paris Exhibition. He would now beg to move the Resolution of which he had given notice.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "as the Customs Revenue is now derived from an exceedingly small number of articles, the prices of most of which in London and Paris are equal, this House considers that no appreciable injury would be inflicted upon the income of the Country were the present practice of the search of the baggage of travellers at Dover, Folkestone, Newhaven, and in London suspended during the period of the French Exhibition of 1867,"—(*Mr. Beresford Hope,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. HUNT said, his hon. Friend accused Her Majesty's Government of being harsh towards those persons who were anxious to visit the French Exhibition during the coming year. If this were done out of wantonness, the terms would not be too severe. But the Government had to consider what was their duty in dealing with the very influential deputation which waited some time ago upon the Chancellor of the Exchequer, and which set forth the desires of 300 Members of that House and 100 Members of the Upper House. He was not surprised that that number of Peers and Commoners signed the Memorial, and it would have been no matter of surprise to him if the number had been larger. What they very reasonably wished was that, if the Government could do it without loss to the revenue, the very desirable boon which was asked should be granted. The duty of the Government, however, was to ascertain whether there was any risk or not to the revenue. It was not from any "red-tapeism" that the Government had been prevented from granting the request. The papers which had been presented showed that the Government had considered the question with great care and minuteness, and he hoped it would be seen that it was not consistent with their duty for the Government to allow of the right of search being done away with. They were told that the French Government were prepared to meet them half-way, but statements subsequently made did not lend a warrant to that belief, but rather led to one of a contrary character; for though the French Government were ready to give every facility consistent with the right of search, they had refused to abandon it. He would ask whether it was England or France that was most interested in promoting this traffic? If even those whose desire and whose interest it was to bring foreigners to their capital would not abandon their rights, was it reasonable to suppose that this country which was not so much interested should be the first to abandon them? His hon. Friend had gone into the question of the weight of the articles, and if smugglers took such a clumsy mode of proceeding as that indicated by his hon. Friend there would be little risk run, but unfortunately some persons were as ingenious in defrauding the revenue as his hon. Friend was in preparing arguments for the House. In the opinion of authorities at the Custom House, who were the best judges in such a question, there would be a great deal of petty smuggling going on among a certain class of travellers, not for the wilful purpose of defrauding the revenue, but for the amusement of the thing. That, however, was not the main reason which influenced the Government. Further than that, they had no doubt that during the seven months during which the Exhibition was to continue there would be, were this application granted, an organized system of smuggling spirits and tobacco. He had requested to be furnished with calculations of the proceeds of a single journey, if a traveller were to bring the weight of luggage which he was entitled to have registered between Dover and Calais, or Folkestone and Boulogne, in contraband goods. A traveller from this country to Paris during the Exhibition would be allowed to have without extra payment 56 lb. of luggage, and also to take with him in the carriage a portmanteau or bag weighing 40 lb., making together 96 lb. of luggage. Deducting the weight of the packages holding the luggage, the weight of the contents would be 80 lb. The present Customs tariff of this country consisted of a very small number of articles, but on those the duty was very high, affording an inducement to unscrupulous persons to smuggle. The Customs duty on spirits amounted to £4,000,000, the duty on tobacco to £6,500,000, and, of course, it would be obvious that it was obligatory on the Government to take precautions that the revenue should not suffer by the smuggling into this country of foreign spirits and tobacco. As the hon. Member had said, the manufacture and sale of tobacco, or the giving of licenses, was a Government monopoly in France, but it so happened that there was a deputed agent of the French Government in this country; and the first class of cigars, which in Paris were sold retail for £1 5*s.* the pound of 100 cigars, were sold by the agent in London at £2 1*s.* 8*d.*, showing a profit on their sale in London of 16*s.* 8*d.* Suppose that a traveller brought over 80 pounds weight there would be a profit of £66 3*s.* 4*d.* on a single venture. Then take the case of small common cigars, 150 to the pound; these were 8*s.* 4*d.* per pound in Paris and 11*s.* 6*d.* in London, showing a profit of 3*s.* 2*d.*; on these a profit might be made on the single journey of £19. The price of manufactured tobacco was 5*s.* per pound in Paris and 9*s.* per pound in London, so that the profit on a single journey might be £16. A person had been sent out to Paris to make purchases at retail shops, and 5*s.* per pound was found to be the average price there of the tobacco in ordinary use; the same steps were taken in London, and striking the average, the price per lb. was found to be 9*s.* With respect to spirits, suppose that 10 gallons of brandy were brought over in the luggage, as might well be, the price in Paris would be 7*s.* 1*d.* per gallon, while in London it would be £1 10*s.* showing a profit of £1 2*s.* 11*d.* per gallon, or of £11 9*s.* 2*d.* on the ten gallons. Such was the profit upon spirits, while, as he had shown, the profit upon good cigars would be £66 3*s.* 4*d.*, upon common cigars £19, and upon manufactured tobacco £16 on a single venture. His hon. Friend said that they must deduct the expense of the journey. That would be insignificant in proportion, but allow for that. Suppose that 84 journeys could be made during the seven months, the profit on the best cigars would be £5,390; on common cigars £1,428; and on manufactured tobacco £1,176; while the profit on the spirits would be £794. After reading these figures he thought the House would see that it was rather a serious question that the Government had been called upon to consider. It might be said that any single person going backwards and forwards so frequently would be discovered, but unscrupulous persons would without difficulty secure agents to carry out by different routes their policy of fraud. He hoped, then, that the House would think the Government justified in declining to accede to the proposal made to them. The Government were ready to do whatever might be in their power to meet the increased traffic by providing additional hands at the different stations of arrival, and they would also take the greatest care in their selection, so that all unavoidable trouble might be prevented. But delay was likely to occur elsewhere than with the Government, and if the railway companies would, by a little judicious expenditure, extend their accommodation, very great facilities would be given to travellers who were called upon to have their luggage searched. Bearing in mind the large increase of traffic which certain of the railway companies would command, he thought this might fairly be expected of them. If they would do their part, the Government would render all the aid that could be expected from them, and so travellers might secure the minimum of disadvantage.

MR. CHILDERS said, he hoped that after the clear statement of his hon. Friend who had just sat down the House would not agree to the Resolution of the hon. Gentleman. The preamble of that Resolution either had some connection with the Resolution or not; if it had not, it ought to be struck out; if it had, it stated what was not founded in fact, for it affirmed that there need be no apprehension of smuggling from any difference in the price of articles in Paris as compared with London; but some of the figures which his hon. Friend had laid before the House on this subject were incontrovertible, and they showed that on tobacco of precisely the same quality there was a difference of between 4*s.* and 5*s.* a pound between London and Paris, while the difference in spirits was from 5*s.* to 7*s.* per gallon. If, then, there were no restrictions put upon the travellers in the way of searching their baggage the revenue would suffer considerably. He therefore trusted, after the Ministers responsible for collecting the revenue had stated in their place that they could not consent to the suspension proposed, the House would pause before passing a Resolution of this kind. At the same time, he had a suggestion to propose to the Government, and to those who came down to support this Resolution, as to steps which might be taken by which the inconvenience of search would be greatly diminished, while the revenue would also be protected. Calculations had been made as to the exact amount of delay caused by the searching baggage at the London termini of the railways. It was very true, as stated in the Customs report, that the mere act of search did not occupy many minutes; but the preparations for that search greatly affected the arrangements of the companies for the delivery of luggage. On one occasion he remembered having been kept more than half an hour, not in consequence of the time employed in the search itself, but in consequence of the company being compelled to take out every article of luggage and place it on the table before the search commenced. What he proposed was this. In the *salle de bagage* at Paris it was necessary that all luggage should be received several minutes before the starting of every train. It appeared to him that by an arrangement with the French Government an officer of the British Government might be stationed in the *salle de bagage*, who should see all the luggage as brought in, and on observing any parcel that appeared suspicious, or that ought to be searched, he might mark it, so as to keep it under surveillance during transit, and with a view to its examination on arrival in London, the remainder being allowed to go free. All that was now done was to examine about one package in ten, selecting the most suspicious; and he thought the arrangement he suggested would be equally effective and more expeditious. He did not make this suggestion on any mean authority—he made it on the very highest authority on such questions, and he was enabled to say that the arrangement was exactly similar to one which had been agreed to between Holland and Prussia, and which, though now superseded, had been found perfectly satisfactory both to the Customs authorities and the railways. If the Government would take that suggestion into consideration, he hoped those who had brought forward this Resolution would withdraw it. If not, he should vote with his hon. Friend opposite (Mr. Hunt.)

MR. WATKIN said, he hoped the practical suggestion which had just been made by the hon. Member would meet with due attention from the Government. It was no new suggestion; for it had been pressed upon the Chancellor of the Exchequer at the interview already referred to, so that the Government could not say they were taken by surprise. Let him now say a word or two in answer to what he might call the hobgoblin argument of the Secretary for the Treasury. He regretted that the hon. Gentleman had given the weight of his authority to these calculations, which were really of no value whatever. They rested on a comparison of things which were not equal. He compared the wholesale prices in one case to the retail prices in the other. If hon. Gentlemen would go into the tea-room they would find samples of these articles the smuggling of which was so much dreaded, all labelled and the prices marked, and they would find from these that it was the exception where the retail prices of these articles were cheaper in Paris than in London. But how had the House been treated with regard to these papers, which were filled with calculations and statements? The most important paper was prepared as early as the 9th of February, by the Custom House authorities, but it was only yesterday issued to the House, so that no opportunity was allowed to answer the memorandum, which might easily have been done. But the question rested on higher grounds than the mere difference of retail prices. The hon. Gentleman the Secretary to the Treasury came to the House with calculations to show the enormous trade to be done in smuggling cigars and tobacco, by which £5,000 a year, he said, could be made. The hon. Gentleman based his calculation, not on the mere difference of duty, assuming the cost and quality to be the same—say 7*s.* per lb.—but he said that the difference of selling price was 16*s.* 6*d.*; and, assuming that every one could sell as much as he liked at that price, he said £5,000 was to be made. Now, as to spirits, they might be cheaper or dearer in Paris, as the case might be. Let them take what the poor man drank in Paris, and it would be found somewhat higher in price than what the poor man drank in London. Taking spirits of the very best and finest quality, they were to some extent cheaper in Paris than in London. But were the people who travelled across to be considered smugglers or not? In several places in the Customs documents Her Majesty's subjects had been abused by the persons in authority as being so base and vile that nothing but the intervention of Custom House officers could make them honest. The law generally treated every man as honest till he became delinquent. Here every lady and gentleman was assumed to be delinquent in advance. Surely it was even more important to protect the coinage than the Customs. The coinage was protected by the ordinary law and the ordinary police. If he went into questions of artificial gold, he might go on to show that a man in that line of business might make £50,000 instead of £5,000 a year. Coinage was more easy than smuggling and more profitable, and inflicted greater injury on the State, but men were not stopped to inquire whether they had base shillings in their pockets. The system of prevention was known not to be perfect, and sometimes crime was committed. And why? Because the thing could not be entirely stopped without dealing unfairly with the liberty of the subject. It was known that, as a rule, the people of this and other countries were honest. They ran a certain risk of danger rather than inflict the inconvenience and loss which an espionage like that of the Custom House would occasion. If it was a fact that the people who travelled for pleasure were not smugglers, what was the reason, when the number of articles on which duty was payable had been reduced from 360 to something like a dozen, of which spirits and tobacco were the only two where smuggling was feared, that some system could not be adopted which, without injuring the revenue, would not inconvenience the travelling public? Why could not the revenue be protected in the same way as base coinage was guarded against? He would ask the Government whether they really thought the thousands of people who would go to Paris this year would go for the purpose of smuggling and not for pleasure, and whether, this being the 8th of March, and the Exhibition being announced to open on the 1st of April, there would be time, even if the Resolution passed, for any number of persons to organize systematic smuggling?

Mr. GLADSTONE: Sir, I wish to make one or two remarks upon the speech of my hon. Friend the Member for Stockport (Mr. Watkin.) My hon. Friend has stated with great force and clearness the case of which he is, very naturally, under the circumstances, the advocate. This is a matter in which I take a great interest, as I think it involves a question of importance in relation to the connection between this House and the Executive Government. My hon. Friend says that it would be impossible to organize a system of smuggling in the time allowed, or to take advantage of facilities which are only to last for six months. But I wish to point out to the House that, as far as I can form an opinion, the system which we observe during the Exhibition we must be prepared to continue after the Exhibition. It would be totally impossible to draw a distinction between the period of the Exhibition and the period following. If there would be serious injury to the revenue, we ought not to give facilities; if there would be no serious injury, we ought to continue them. Then, as to the price of articles in London and Paris, my hon. Friend pits a list which he recommends for our consideration against the prices produced by the hon. Gentleman the Secretary to the Treasury (Mr. Hunt.) I have no doubt that my hon. Friend's prices have been brought forward in perfect good faith, but who is responsible for their presentation? Supposing it turned out, after all these facilities had been given, that damage arose to the revenue; we could not call upon those who had placed the specimens in the tea-room and make them responsible. On the other hand, the Government comes down to this House, being bound to take securities for the due collection of the revenue, bound to obtain the most ample and accurate calculation as to the effect of these relaxations, and to take security that the revenue should receive no damage. The credit of the Government is involved, as well as their duty to the House of Commons, in the accuracy of the information which they lay before us. It does appear to me that the statement of the hon. Gentleman the Secretary to the Treasury is open to criticism as regards the amount of profits. I have no doubt that a strict calculation would considerably reduce that amount; but I have no doubt, on the other hand, after every fair deduction had been made, a margin would remain sufficient to show a very high probability of such profits as would justify the apprehension which he entertains. But then my hon. Friend says, "Why not protect the revenue as you protect the coinage?" But, does not my hon. Friend know that in the protection of the coinage every member of the community is the ally of the Government? The Government does not need to depend on its own officers alone; it is the interest of A, B, C, and D, and of every human being, except the coiner himself, to protect it. But the revenue from our Customs meets with very little sympathy on the part of the community, and must depend upon its own officers for its protection. To talk of the smallness of the number of articles upon which the duty is levied is quite irrelevant; it is the amount of duty that is the question. Here is a matter of some £11,000,000, one-half of our Customs duty—I do not mean that all this money is in question, but the interests of the revenue are in question and the interests of justice, because we owe it to the traders in those articles, upon which we levy high duties, to defend them to the best of our power against illicit competition. But though the case made out by the Government is a strong one, the main consideration is this: The question raised by the hon. Member for Stoke-upon-Trent (Mr. B. Hope) is, Who are the guardians of the public revenue? Are we to hold the Government responsible year after year for the faithful collection of the public revenue, and for the suppression of contraband trade? Or is this House to take the duty into its own hands of directly superintending the revenue? If you say, "We will take charge of it," then you ought to appoint a Committee of your own, and place it in direct communication with those Departments with whom the Government has immediate relations on the subject, so as to enable you to efficiently discharge the duty. But in our present arrangements, we have no intimate knowledge on the subject. We have, indeed, knowledge of a vague and general character, which no doubt furnished the materials of a most interesting speech to my hon. Friend opposite (Mr. Beresford Hope), who was so shocked with the conduct of the Government in this matter that he transferred himself to this side of the House, where no doubt, if he remains, he will be exceedingly welcome. But the responsibility of the Government must remain there. I, for one, am not prepared to assume it. I hope the hon. Gentlemen will not take it for granted that it is the remains of old official habit which induce me to play what they may think the part of an obstructor; because, in the first place, the whole course of modern administration has been steadily directed towards the relaxation of every official rule that could interfere with private comfort; and, in the second place, I look with sanguine expectation to the reply which I trust the right hon. Gentleman the Chancellor of the Exchequer will give to the question put to him by my hon. Friend (Mr. Childers.) I am far from thinking that we have yet arrived at the *ne plus ultra* of concession. There is much, as I have already intimated, in the documents on the table in which I do not agree; and I especially dissent from one remark made by the Customs authorities, that the Customs search does not restrict or discourage travelling. Every restriction must discourage travelling, and as such it ought to be reduced to its minimum. I think a very practicable mode of diminishing the inconvenience has been pointed out by my hon. Friend. It may require communications between the two Governments. At other times it would probably have been impracticable; but the spirit of modern legislation tends to promote and encourage these facilities. I hope some plan will be devised, by means of arrangements between the two Governments, such as at other times would be found impracticable, but which in our modern relations may be safely carried out.

THE CHANCELLOR OF THE EXCHEQUER: Sir, with regard to the suggestion which has been thrown out by the hon. Member for Pontefract (Mr. Childers), of course, anything emanating from such a quarter will be received by us with the deference to which it is entitled. Schemes of a similar character have occurred to the Government, and have been mentioned in some quarters, but have not yet been received in a manner which gives me at this moment any very encouraging hope that we may succeed in an arrangement at all satisfactory. The identical plan of the hon. Gentleman has certainly not been considered, but it shall be. With every wish to remove difficulty out of the way of Her Majesty's subjects, I cannot at the present moment make any engagement which should at all influence the decision of the House, which ought to be arrived at on principles quite distinct. I do not think the hon. Member for Stockport (Mr. Watkin) has any ground of complaint with respect to the conduct of the Government in this matter. He complained of the papers not being produced. But the hon. Gentleman was aware of the existence of those papers, and, according to Parliamentary practice, he might have moved for them if he required them, and they would have been produced. What we did was to produce the papers when notice was given. With regard to the general argument of the hon. Member for Stockport, I must say now what I had the pleasure of saying to him under a more private roof, that the general tone of his objections really go altogether against the whole system of levying duties and searching baggage, and we are not quite in a position to agree with him. I listened with much amusement to the quaint rhetoric of my hon. Friend (Mr. Beresford Hope) who represents the interests of the Potteries. He did full justice to his case and his clients; but his case is not a good one, and his clients are somewhat unreasonable. There has been every disposition on the part of the Government to comply with the wishes of their fellow-countrymen on this question as far as possible. No doubt it would be very agreeable to the Government if they could entirely study the convenience of travellers to the Exhibition without reference to any other consideration. But that is not possible; and I think the statements which have been made by the Secretary to the Treasury this evening must have produced a due effect upon the House. They really have not been impugned by the tea-room criticisms and the tea-room illustrations of the hon. Gentleman. The hon. Member for Stockport must remember that in the matter of the calculations with which he favoured me in another place he really founded his arguments, as regards brandy, upon an error in assuming that the pure alcohol of the French brandy was similar to our proof strength in England, because I believe, as he himself now admits, there is a difference of 70 per cent between the two articles. If we are to arrive at a satisfactory conclusion upon this matter we must first of all study perfect accuracy. I am sure it is the inclination, and I cannot doubt that it is the duty, of the Government to do all they can to meet the wishes of those who propose to visit the Paris Exhibition, and, if they possibly can, to prevent them from being subjected to the inconvenience which necessarily results from the interference of Custom House officers. But the real question before the House is a simple on—is the House of Commons prepared to support Her Majesty's Government in their attempt to defend the revenue of the country? This is really the only consideration on which we ought to decide.

Sir PATRICK O'BRIEN said, the question of copyright should not be forgotten. Numerous cheap editions of our best authors were re-produced on the Continent as fast as they appeared here. At present heavy penalties attached to their importation; but if the request of the hon. Member for Stoke-upon-Trent were acceded to, the authors and publishers of this country would be defrauded of their rights. If for no other reason the Motion should be rejected.

Mr. BERESFORD HOPE said, he would accept what had fallen from the Chancellor of the Exchequer as a promise to do whatever was possible for intending visitors to the Paris Exhibition, and therefore would beg to withdraw his Motion.

Amendment, by leave, *withdrawn.*

ROYAL IRISH ACADEMY.

OBSERVATIONS.

Mr. GREGORY said, he would set before the House in a very few minutes the origin, object, and present position of the Royal Irish Academy, together with the claims which it possessed on the liberality of Parliament. It was founded by charter in 1786, for the promotion of science, polite literature, and antiquities; but as polite literature was now-a-days a robust plant, and quite able to stand alone, the Academy devoted itself exclusively to science and antiquities. Since its foundation up to the present time it has numbered among its members almost every resident Irishman distinguished in science, archæology, and general literature. It has illustrated the history and the physical phenomena of Ireland by works of originality and research, and by the acquisition of an admirable special library. In the twentieth volume of the Transactions of the Academy came out the famous treatise of Dr. Petrie which settled the question of the round towers of Ireland. It has additionally illustrated the history of Ireland by forming a museum which is the most important collection of Celtic antiquities in the world. In connection with that museum a catalogue has been formed by Sir William Wilde illustrating these collections. This work, involving a serious inroad on the time of a professional man, has been quite gratuitous; and he (Mr. Gregory) would venture to notice it as a work most amusing and interesting in itself, but invaluable to the student of Irish antiquities. This work, he regretted to say, was unfinished, and at a stand-still for want of funds to print it, although the MS. is complete. Then, as a scientific institution, besides the encouragement which the Academy gave by having papers of merit read before its meetings and printed, it had published a series of tidal and meteorological observations round the coast of Ireland of very considerable value. He might say, in one word, that the Royal Irish Academy stood to Ireland in the same position as the Royal Society and the Antiquarian Society do to England. He (Mr. Gregory) had mentioned a few moments previously that the catalogue of antiquities had been prepared gratuitously by Sir William Wilde. The members had manifested on every occasion the same public spirit and liberality. As a general rule, the members of the Society were not wealthy men; but within no long period of time appeals had been made to their generosity, and they had nobly answered those appeals. By private subscription they raised funds to the amount of £1,067 to purchase Dean Dawson's collection of antiquities; for the Tara torques they gave £190; for Sir William Betham's Irish MSS., £600; for Hodges and Smith's Irish MSS., £723. They did not, therefore, come to ask for Government assistance from any unwillingness to spend their own money; but the burden of these constant calls had weighed heavily on the Society. Persons of small means, but most eligible, had abstained from becoming members owing to their inability to respond to them. Lastly, what was no small recommendation to any Irish body, might be added, that it had ever been untainted by the suspicion of having been actuated in its selections or proceedings by political or sectarian motives. Though this might seem a strange compliment to pay a learned body, yet it is no small one, considering that philosophers, though dwelling in the *templa serena* of science, were but men, and how busily, until recently, our countrymen had mingled with their severer studies the pleasurable excitement of hating each other for the love of God. He had now briefly described the origin and scope of the Royal Irish Academy, and that such account was correct could not be doubted, for he had almost quoted the very words of the Report of the Committee on Scientific Institutions, Dublin, 1864. Now for its present condition. He regretted beyond measure to say that the evidence taken before the Committee proved that its condition, both as regarded exhibition and the carrying out of its other objects, was very lamentable, and all for want of a small assistance. First of all, take its most popular department—namely, the museum. That, he regretted to say, was unavailable for the public. It was the strong wish of the Academy that this most remarkable museum and the valuable special library should be made of general use; but from want of space, although there was enough space in the building, and from unavoidable badness of arrangement, the specimens were scattered through the house. Some of these specimens were of extraordinary value, and it was necessary that they should, when exhibited, be exposed to no risk; but to effect this a responsible curator and an attendant were absolutely necessary before the public could be admitted. To put the house in thorough order a small expenditure by the Board of Works was necessary, and £200 per annum was unanimously voted by the Committee of 1864, to enable the Society to appoint a curator and carry out other objects connected with the museum. This small addition would enable the Society to give the world the full benefit of its unrivalled collection of Celtic antiquities. Then for the library; that, too, was unavailable. It could only be reached by going through the museum. It required a clerk to attend to it for the safety of the books and MSS. Here, again, the Committee unanimously recommended £200 additional per annum for the salary of a clerk, and for purchase of books and binding. Considering the special character of this library, and the necessity of adding to it from time to time books illustrative of all scientific, historical, and archæological matters connected with Ireland, this £200 was but a miserable dole. He (Mr. Gregory) really blushed at the niggardliness of his own report. He presumed that it was owing to having the Secretary for Ireland on one side of him, and a Lord of the Treasury on the other, that his recommendation was so parsimonious. For this library was of wonderful interest to Irishmen. It had recently received, by bequest of Mr. Halliday, a complete and extensive collection of pamphlets upon Irish subjects from a considerable back period up to the present time. But the glory of the Academy were its early Irish MSS., some of which were so full of historic interest that the House would pardon a brief description of them. There is a copy of the Gospels, said to be of the time of St. Patrick. There is a copy of the Psalms, said to have been executed by St. Columba, and to which a curious story was attached. St. Columba was a very aggressive saint in many particulars, but especially so in one. He invariably copied any book he found in the possession of any one else, which in those days was considered a violation of the rights of property. He paid a visit to St. Finnian, and in the dead of the night was accustomed to get up, go into his chapel, and there, by the help of a miraculous light which emanated from the tops of his fingers, he copied the saint's Book of Psalms. People in Ireland were quite as inquisitive in the 7th century as now. Some Irish gentleman, returning home late after dinner, saw the light in the chapel, and told St. Finnian. He claimed the copy. St. Columba refused to give it up. Diarmid, King of Ireland, sitting on his throne at Tara, was appealed to. His verdict was this—"Let the calf go with the cow"—that is, the copy with the original. In consequence of that decision, St. Columba, with a wail, shook the dust from off his feet, and left Ireland for Scotland. Some say this is the surreptitious copy. He was aware there was doubt about this manuscript being the true one, but Count Montalembert believed it, and he (Mr. Gregory) was content. Then there was the Book of Ballymote, of very early date, which was sold, in the year 1512, for 150 milch cows. Another MS. was of such value that it was given in ransom for the chief of the O'Dogherties and the son of O'Donel's chief poet; and it was in order to recover this MS. that O'Donel laid siege to Sligo in 1470. There were other MSS. also of great antiquity and interest. The Society was most desirous to print and circulate copies, which they were urgently requested to do by foreign societies, and which, had they belonged to foreign societies, would have been done long since. There was no chance of this being done, owing to the penury of the Society. It was true £200 had been granted for an Irish scribe, but the whole of that sum had been expended in transcribing, translating, and cataloguing. Again, for scientific researches £200 per annum had been recommended, and also £200 for illustrating the transactions and proceedings. The whole amount recommended by the Parliamentary Committee was £1,000 per annum, in addition to the present grant of £500. This recommendation was unanimously supported by the Members of the Government on the Committee, and by English and Irish Members alike. Beside that, however, evidence was taken by the Committee showing the necessity of special grants occasionally when objects peculiarly connected with Irish history should come into the market. The Secretary of the Treasury need not shake in his shoes. That, of course, could rarely be the case, and he was not likely to be subjected to many importunities. At this moment, however, there was to be sold a collection of the deepest interest to Ireland. It was the collection of the late Dr. Petrie. The sum demanded was comparatively small, but the value to Ireland was very great. He had heard rumours that Kensington was about to put forth its rapacious claws and take that collection into the bosom of science and art. He protested emphatically against such a proceeding. It was a collection essentially Irish, illustrating Irish history, identified with Irish localities. He did not believe there could be inflicted a greater affront on Ireland, and one that would be more resented, than to bring that collection, aye, or any portion or particle of it, to Kensington. On the other hand, it would be a compliment to Ireland to purchase and present it to the Royal Irish Academy. The Chancellor of the Exchequer was, he regretted, not present; but the Secretary of the Treasury would remember the universal acclaim with which the purchase of the Blacas collection was hailed by the country. He never knew an Irish Member yet who objected to any special grant for the acquisition of treasures of art and science for the honour and glory, and benefit of England, and he hoped in their case similar liberality would be shown to Ireland in a matter where she had such overwhelming claims as the acquisition of Dr. Petrie's collection. But besides an archæological collection of great value, Dr. Petrie left behind him two daughters. He would not ask the Government to acquire them for the nation, yet he did ask that it should be borne in mind that these ladies were in want, and that they represented a man who was an honour to Ireland, and whose investigations were held in respect on the Continent, wherever archæology is cultivated. He (Mr. Gregory) was astonished at the result of the application to the Treasury. The increased grant was the recommendation of a Select Committee perfectly unanimous. It had since been urged on the Treasury by the Lord Lieutenant in the warmest manner. He believed, moreover, that it was the full intention of the late Government to have acted with liberality towards this Institution. He presumed it had been withheld on the ground of its being a private body; but private societies were encouraged in this rich country; and he could safely say that if the Society were enabled to throw open its doors, it would be far more of a public body than any society subsidized in England. In his opinion it had peculiar claims. It was the one essentially Irish Institution. It investigated and kept up research in one of the languages of one of the great families of mankind — a language which would probably in another half century be extinct. Dr. Johnson says—

> "I have long wished that the Irish literature were cultivated. Ireland is known by tradition to have been once the seat of piety and of learning, and surely it would be very acceptable to all those who are curious either in the origin of nations and the affinities of languages to be fully informed of the revolution of a people so ancient, and once so illustrious."

This was the very work the Academy was doing, and wished to extend. It was bringing to light the customs and laws of an ancient and peculiar race. As Mr. Hepworth Dixon's book on New America revealed the rise of new ideas on morality, and religion, and law, totally different from those amid which we live, so these old MSS. revealed old ideas on morality and law totally differing from those which obtain at present, but the traces of which may be still observed among the Irish peasantry. Surely an Institution so thoroughly identified with a country and with all its sympathies, and which was doing its work right well, was deserving of encouragement, and he felt convinced that the Chancellor of the Exchequer would agree with him. He (Mr. Gregory) would finish his observations with the concluding words of the Report of 1864—

> "We should bear in mind that Dublin is not a provincial town, but the capital of a country; that these learned associations do not merely tend to interest and keep together in the capital of Ireland a number of persons of high intelligence and attainments, but that the prudence and influence of such persons must influence and elevate society. State assistance, judiciously applied to Institutions such as these, though its results cannot be proved by figures, makes itself felt throughout the country, and encourages the formation of tastes, studies, and researches, and an activity of intellectual labour the value of which it is impossible to over-estimate."

MR. HUNT said, he regretted that the hon. Gentleman had not postponed the question, his noble Friend the Chief Secretary for Ireland not being in his place, and the Vice Presidency of the Privy Council being at present vacant. He could assure the hon. Gentleman that the Government were not indifferent to the promotion of science and art in Ireland, and that they sincerely sympathized with his desire that the Royal Irish Academy should flourish. A large sum of money would be proposed in the Estimates for the present year, for the purpose of improving and extending the usefulness of the Museum of Irish Industry, a grant which was recommended by the Committee of 1864, and he thought the hon. Gentleman could hardly blame the Government for not proposing to do more for the Academy during the present year. What had been the intentions of the late Government he could not say; but neither in 1865 nor in 1866 did the grants exceed £200. Certainly, during the two years that had elapsed since the Commission reported, the late Government had not done all the Commissioners wished. The applications for assistance from Institutions of this kind were so numerous that it was impossible to entertain them all; but the Government would promise to consider the circumstances which the hon. Gentleman had mentioned. With regard to Dr. Petrie's collection, he was not aware that it had been offered to the Government, but whenever such an offer was made, it would receive due consideration. With respect to the daughters of Dr. Petrie, there were at present a large number of similar applications; but at a particular period of the year the First Lord of the Treasury dispensed a certain number of pensions, and this case would be taken into consideration by him at the proper time.

MR. O'REILLY said, he hoped that

some additional support would be given to the Royal Irish Academy, which was the only Institution in Ireland for collecting and publishing materials for Irish history. The materials for English history had been published, and were to be found in the great Libraries; but many standard works of Irish history were yet in MS., and many of the printed works were of singular rarity; so that students of Irish history laboured under peculiar difficulties.

THE STRAITS SETTLEMENT.

OBSERVATIONS.

MR. O'REILLY said, he rose to call attention to the position of the present Officers of the Straits Settlement, and to ask the Under Secretary of State for the Colonies, Whether he can state which of these Officers will be retained and which superseded; and, with regard to the latter, what measures are proposed to prevent the transfer of the Settlement from the Indian to the Colonial Government, injuriously affecting their position and future career? The great Settlement at Singapore was last year transferred from the Indian to the Colonial Government. At the time of the transfer the officials were servants of the Indian Government. Many of them had served long and faithfully and looked forward to the service for a career during their lives, and at the completion of their term of service to a pension and promotion. They might be sent back to the Indian service or transferred to the colonial service. They nominally belonged to different branches of the Indian Government; but many of them had been for twenty years attached to the Straits Settlements, and had become familiar with the Malay and other languages spoken there. If they went back to the Indian service they would have no chance of promotion from the Indian Government, to which they nominally belonged. If they were transferred to the Colonial Government they would lose their right to Indian pensions. He believed it was in the contemplation of the late Government that the junior officers should go back to the Indian service, and that the senior officers should retain their Indian pensions and continue in the employment of the Colonial Government. He desired to know the decision of the present Colonial Office on this point. He would take the case of the Governor first—a general in the Indian army, who had served for better than thirty years with distinction in war and peace, and who had administered the Government of the Straits Settlements for six years to the satisfaction of those who served under him, and of the inhabitants of the Straits. Viscount Halifax, when leaving the Indian Office, expressed his high opinion of the zeal and energy with which the Governor of the Straits Settlements had carried on the public service. Probably he might have wished to retire, and it was natural to expect that in giving up his command his convenience might be considered. The authorities at the Colonial Office had been in communication with the Governor, but he never received from them the slightest intimation as to any change in his position. He did not know that it was intended to supersede him and appoint another Governor until he saw the appointment of his successor in the newspaper. The next officer to whom the change must bring considerable loss was the Colonial Secretary, who being nominally a lieutenant-colonel of Madras artillery would have nothing but the half-pay of that rank to fall back upon, and who, too, had no knowledge that he was to be superseded until he saw the appointment of his successor in a newspaper. He thought that these officers might have received a little more courtesy at the hands of the Colonial Office. He wished to ask the Under Secretary of State for the Colonies, Whether he could state which of these Officers would be retained, and which superseded; and, with regard to the latter, what measures were proposed to prevent the transfer of the Settlement from the Indian to the Colonial Government, injuriously affecting their position and future career?

MR. ADDERLEY said, he understood from the hon. Gentleman that he did not impugn the proceeding of Parliament in making the change in question. When the Government came into office they had little more to do than pass the Bill through Parliament and take the necessary steps under it. It was considered absolutely necessary that the principal colonial offices should not be left in the hands of the Indian officers. It was thought that on account of the different systems of the Department it was necessary to substitute colonial for Indian officers. He might say if there had been any want of courtesy in doing this he was not aware of it, nor could the Colonial Office be, because the communication to the out-going Indian officer must have been made from the

Indian Department. If it had not communicated the change in time he was not aware of the fact, and if it had so occurred it was much to be deplored, and he regretted it very much. Not a moment was lost after the Act was passed in carrying out the arrangements that were considered essential to it. The Colonial Office and the Indian Department conferred together, and it was decided at once that all uncovenanted officers should remain in their place, inasmuch as they were looked on as permanently attached to the Settlement, and they were retained on their full pay and pension. As to the covenanted or commissioned officers, they were of a class always changing, and in this case that required to be changed for the purpose of carrying out the new departmental system, with the exception of Captain M'Mahon, who was retained as the engineer and superintendent of works. The services of some of these officers were temporarily retained; but as a general rule the covenanted officers would be sent back to the Indian Government to re-occupy the position from which they had been only temporarily removed. It was distinctly understood when they took their offices that the appointment was only a temporary dissociation from services under the Indian Government, the usual time in each case had expired, and where the offices they had so held were more lucrative than those they left and were to return to, they had had all the expected benefit. The hon. Gentleman asked him what measures had been taken to secure these officers from being injured by the transfer. He presumed the hon. Gentleman referred to the ultimate expectations of these officers as to pensions. The Earl of Carnarvon had communicated to the Indian Government that it had been arranged to apply to them the same system as was applied to the Hong Kong and Ceylon services, and officers who retired from age, fifty-five being the period at which they would do so, they would be entitled to one-twelfth of their salaries for pension. The officers would be liberally dealt with in regard to these pensions, their services in each place would count, and he understood, though as Under Secretary he personally knew nothing of such appointments, that all that could be done had been done.

MR. O'REILLY: Was it not the duty of the Colonial Office to communicate to the officers that they were superseded?

MR. ADDERLEY: It is the duty of every Department to communicate with its own officers. The Colonial Office does not communicate with the officers of the Indian Department.

MR. J. STUART MILL said, he knew nothing of these particular cases, but he did know something of the Straits Settlements. He hoped that the general proceedings of the Colonial Office were not such as they appeared to have been in this instance. The reason why Parliament desired to transfer the Straits Settlements from the India to the Colonial Office was, he apprehended, because those settlements were totally different from India, in a totally different state of society, and had always been under a totally different system of government. There was no natural connection between the Straits Settlements and India; but as soon as the transfer was made it was thought necessary by the Colonial Office that the officers, who had been conducting the affairs of the Settlements, as seemed to be implied, upon the Indian system, should be superseded by others who would conduct them upon the colonial system. He wanted to know what the colonial system was. He hoped and trusted that there was no such thing. How could there be one system for the government of Demerara, Mauritius, the Cape of Good Hope, Ceylon, and Canada? What was the special fitness of a gentleman who had been employed in the administration of the affairs of one of those colonies, for the government of another of which he knew nothing, and in regard to which his experience in other places could supply him with no knowledge? What qualifications had such a man, that should render it necessary to appoint him to transact business of which he knew nothing, in the place of gentlemen who did understand it, and who had been carrying it on, not certainly upon the Indian system, and he believed upon no system whatever but the Straits Settlements system? He did not know upon what principle the government of the Straits Settlements was to be carried on by the Colonial Office; but he did know that the principle upon which such trusts were administered by the old East India Company was that of retaining a man in the position the duties of which he understood, and they would never have thought of removing a man from an office of which he understood all the details, and replacing him by one who knew nothing about them. He knew nothing of the gentlemen who had administered the government of the Straits Settlements. He was not even aware whether they desired to retain their offices: but he was sure that if they did, it would have been for the public advantage that they should be allowed to keep them. At all events, if they were to be removed, they ought to have been informed of that intention by some Department of the Government, and ought not to have been allowed to learn it from reading in a newspaper that their successors had been appointed. That that should have occurred was very discreditable to somebody; and for his own part he should have thought that it was the duty of the Colonial Office to communicate with these gentlemen, because they were still serving in a territory which had been transferred to that Department, and were not then acting under the India Office. They must, indeed, until they ceased to exercise their functions, have been in communication with the Colonial Office upon a hundred other subjects, and it was curious that the only topic upon which the Colonial Department did not think it necessary to intimate its sentiments to them, was that of their removal from their posts, and the appointment of their successors.

Mr. ADDERLEY said, that when he spoke of a change of system, he did not refer to a change in the system of government in the locality, but as to a change in the system of communication with the office at home as between the India Office and the Colonial Office.

Mr. OLIPHANT said, he did not comprehend whether the right hon. Gentleman meant that the system on which the Straits Settlement was administered was to be totally changed.

Mr. ADDERLEY said, it was merely the system of communication with the Departments that was changed.

Mr. OLIPHANT said, that with regard to the change of system, he did not see why the transfer from one Department to another should render it impossible to provide properly for old servants. It had given very great dissatisfaction that gentlemen who had been in the Settlements for a very long while should be changed for entire strangers who knew nothing of the language of the country, and who were not so well accustomed, and who, therefore, were not so well able to perform the duties. It was very hard, too, that gentlemen who had fulfilled their duties satisfactorily for many years should be withdrawn without having proper provision made for them. It was said that those who returned to India would join their regiments, but the House could readily imagine that after perhaps twenty years' absence, the duties of, say a lieutenant-colonel, would have to be learned over again. He hoped the Government would take the case of these gentlemen into their consideration.

Motion, "That Mr. Speaker do now leave the Chair," *withdrawn.*

Committee *deferred* till *Monday* next.

METROPOLITAN POOR (*re-committed*) BILL.

(*Mr. Gathorne Hardy, Mr. Earle.*)

[BILL 66.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clauses 1 to 4, inclusive, *agreed to.*

Clause 5 (Asylums to be provided).

Mr. J. STUART MILL said, he was too much alive to the extreme difficulty of carrying any measure for the improvement of the law or its administration to be over critical in regard to the present Bill, as it was brought forward with a real desire to improve the administration of the Poor Law, and really did so in many important particulars. But he wished to make a few observations, chiefly for the purpose of eliciting the views of the right hon. Gentleman (Mr. Gathorne Hardy), and of entering a caveat in respect to principles of administration which seemed to him true and just, but which that measure was very far from carrying out to the extent which he was persuaded the House and the country would come in time to think desirable. He wished to ask the reason why the Bill, in the new system which it originated, preserved so much of the fractional character of the old system. Why was it necessary, for example, that there should be one set of managers for asylums, and a different set for dispensaries? Why were asylums to be provided according to districts marked out by the Poor Law Board, while dispensaries were to be provided according to parishes and unions? Both of those institutions, being kindred institutions, must be managed in a certain degree on the same principles, and those who were capable of managing the one must be capable of managing the other. Why was it thought necessary that the management of every separate asylum should be under a separate body, and that every separate dispensary should be under a separate management?

No doubt, the right hon. Gentleman meant that there should be the same system of administration for them, and trusted to the powers reserved for the Poor Law Board for establishing it. But it was a sound rule that the administration of the same kind of things ought to be, as far as possible, on a large scale, and under the same management. A Central Board would be under the eye of the public, who would know and think more about it than about local Boards. It would act under a much greater sense of responsibility. The number of persons capable of adequately performing the duties in question was necessarily limited, and such persons would be more easily induced to undertake duties on a large scale than on a small one. It was probable that a considerable number of powers now reserved to the Poor Law Board might safely be exercised by such a Central Board; which would, to that extent, preserve the principle of the administration of the local affairs of the people by their own representatives. He was not one of those who desired to weaken the power of the Poor Law Board to guide local authorities, and supersede them when they failed in their duty, for Poor Law administration is not a local but a national concern. But there was much force in what was said by some local authorities, who did not object to the main principles of this Bill, who admitted that its proposals were necessary, who applauded the right hon. Gentleman for making them, yet had fair ground for urging that they ought to have the opportunity of themselves doing what was required, and that interference should take place only when they had failed. With a view to future legislation it would be well worth considering whether the administration of the relief of the sick poor for the whole of London should not be placed under central instead of local management, the Central Board to be constituted by election, or partly by election and partly by nomination. He did not wonder that the right hon. Gentleman (Mr. Gathorne Hardy) had not chosen to leave the sick poor in the hands of the vestries. Vestry government was hole and corner government, and he hoped the time was coming when they would not tolerate hole and corner administration for any purpose whatever. He hoped, before long, to have the opportunity of bringing this matter before the House in connection with the general subject of metropolitan local government. Of course, some of the vestries had suffered wrongfully for the deficiencies of those who had done worse; but it was in the essence of hole and corner government to be comparatively irresponsible, inefficient, jobbing, and carried on by inferior persons—objections which would not apply to a Central Board. With a Central Board in existence, the duties of the vestries would be those of superintendence rather than of execution. A numerically large Board was unfit for executive or administrative duties, but admirably fitted for looking after those who were intrusted with such duties. Administrative duties were best intrusted to a single hand, which should be responsible, and, if possible, paid; and the executive administration of the Poor Laws should principally devolve on paid officers, who would be watched in the districts by the vestries, which would consist of ready-made critics superintending others with a vigilance with which they did not like others to superintend them. The proposal to make the asylums medical schools, and thus to secure to them a high degree of publicity and the constant supervision of skilled persons, did the greatest credit to whoever suggested it, and was a proof of a real capacity for practical legislation.

Mr. GATHORNE HARDY said, he was glad the hon. Member for Westminster had taken this opportunity of expressing his opinions on the Bill, and of stating what he thought might have been made of it; but he was sure the hon. Member would recognise the great difficulties there were in making an entire change in an already existing system. An experiment would be made by the Bill which, to a certain extent, would effect the object the hon. Member had in view. He had already stated that any one devising a new system would wisely place lunatic, fever, and small pox hospitals under one Board; and the hon. Member would observe that it was not proposed to have a Board of management for each separate asylum, but one for each district; so that, if the metropolis were made one district, a Central Board would be created. If that experiment were tried, it would be seen whether the powers of the Board might, with benefit, be applied to other purposes. In this view, possibly, much of the hon. Member's objection might be removed, because the change was one which might be developed into something like the system he had sketched. Dispensaries would remain in the hands of Boards of Guardians, who had not been objected to as administrators of outdoor relief. The dispensaries would differ from the hospitals in being restricted to the relief of outdoor poor; and for that reason he thought it prudent to leave them, as they were in Ireland, under the care of dispensary committees of the Board of Guardians. It would be observed that he had provided for district Boards dividing themselves into committees for departmental administration, and by such division the evils of administration by a large Board would be obviated. A Central Board might, perhaps, be intrusted with still greater powers, such as contracting for the supply of drugs for the whole metropolis. He had kept these things in view; but he thought it wise to proceed by steps, and if we once got a Central Board, the House would consider how far the principle might be beneficially extended. He was glad the hon. Member for Westminster approved making the asylums medical schools; a plan which had been formerly adopted in connection with the Marylebone Workhouse, and had contributed to the education of some of the most eminent medical men of the day. At Galway the medical students of the Queen's College were admitted to the workhouse infirmary, with great benefit to themselves, while their admission constituted a good system of inspection. He was glad to have the assistance of the hon. Member for Westminster in carrying the Bill.

Mr. C. P. VILLIERS said, that so far as he could understand the right hon. Gentleman, he concurred with the hon. Member for Westminster in thinking that there ought to be, sooner or later, a single Board which should control all those asylums for the sick poor, and that there should be uniformity of management. He was glad to hear it, as that was his own opinion; but he could not see that any provision, calculated to have that effect, was contained in the Bill. He wished to know from the right hon. Gentleman whether he had any particular object in calling the places in question "asylums." He thought the appellation was an unfortunate one, inasmuch as there were peculiar associations connected with asylums, not corresponding with the purposes of these buildings, and it might give offence to that class of persons for whom asylums were set apart, who were not paupers. He would, therefore, suggest the substitution of the word "hospital," or the words "places where the sick poor shall be relieved."

Mr. Gathorne Hardy

Sir HARRY VERNEY said, he was of opinion that it would be better the word "hospital" should be employed. To the Bill itself he entertained the objection that it contained no provision tending to procure the speedy and permanent restoration to health of the sick poor. Its tendency was to benefit the vicious rather than the virtuous sick poor. There was also nothing to prevent the guardians from appointing unfit instead of well-trained nurses.

Mr. AYRTON said, he did not concur in the extremely sensitive criticism of the right hon. Gentleman the Member for Wolverhampton (Mr. C. P. Villiers). The right hon. Gentleman's only objection to the clause appeared to be the use of the word "asylum," and if that were so, was it really a serious matter for discussion? They would never get through the Bill if such dissertations as these were encouraged. These establishments were to be provided for the reception of the sick chargeable poor, and as it was not an establishment for benevolent purposes, but associated with poor relief, one word was as good as another.

Sir MATTHEW RIDLEY said, there was no real force in the objection of the right hon. Gentleman the Member for Wolverhampton. They had pauper lunatic asylums established all over the country, but no objection was taken to the word "asylum." There was greater stigma attached to the word "workhouse."

Mr. Alderman LAWRENCE said, he thought there was a good deal in the name of a building. The word "asylum" was a most unfortunate one to apply to a building which was to be used for the poor. There were various kinds of asylums, but in such establishments it was a rule not to admit any one who had received parish relief. In using the word "asylum," therefore, they lessened the distinction which ought to exist between those who received relief from the parish and those who received relief from benevolent and charitable institutions. Taking this name for the new institutions would seriously injure existing asylums. There were asylums for the blind, the deaf and dumb, for indigent gentlemen and decayed merchants. If the word were applied to receptacles for paupers, it might bring discredit on the others. It was most important to maintain the line of demarcation between those who had been in the habit of receiving parish relief, and those who had gone through life and supported their families without parish relief, but did not object to enter asylums supported by the subscriptions of the benevolent.

MR. HARVEY LEWIS said, it was not of much consequence what word was used as long as proper relief was given to the sick, insane, and infirm. The relief ought to be confined to them exclusively, and he should move to omit from the clause the words "or other class or classes," under which even able-bodied paupers might be admitted into these asylums.

MR. ALDERMAN LUSK said, he hoped the right hon. Gentleman would state clearly what classes it was intended to provide for under the clause. He wished to defend the metropolitan guardians. There were 35,000 persons receiving relief in London workhouses, and only four cases of bad usage had been established. He did not care what they called the new buildings. "A rose by any other name would smell as sweet," but if this was to be a national scheme, the cost should not be levied on the metropolitan unions, but on the Consolidated Fund.

MR. GATHORNE HARDY said, he must express his regret that so much discussion had been provoked by this clause, which, he had thought, did not contain anything likely to lead to misapprehension. In bringing forward the Bill he had stated in the most distinct manner that its object was to give to the Poor Law Board power to classify the different kinds of paupers in the metropolis. It was an essential part of the scheme that the classification should be undertaken under the direction of the Poor Law Board. He never intended to mix up the sick with other paupers, nor was there any indication of such an intention in the Bill. On the contrary, his object was to separate them. It might be advantageous in some cases to have a building for one class, even, perhaps, the able-bodied, in a particular district. The object of the clause was to give the Poor Law Board the necessary powers to classify the whole order of paupers, lying-in women, able-bodied and so on, and to that end it was essential that the words proposed to be omitted should be retained in the clause. It would be hardly necessary for him to say anything about the word "asylum." The word "hospital" would be open to the same objection. In the writings of the persons who urged this measure upon the House the question was asked why these places were called workhouses any longer when they were, in fact, places for the sick, insane, and infirm.

MR. THOMAS CHAMBERS said, he thought that no satisfactory explanation had been given about the words proposed to be omitted. If they were allowed to remain the Poor Law Board would have the power of taking any class of paupers out of the workhouses and sending them to special establishments, and the guardians would then be defunct.

MR. AYRTON said, he hoped that the manner in which his hon. and learned Friend had responded to the appeal that he would address himself to the subject of the clause would be generally followed in the House. He thought the best feature of the Bill was the prospect it offered of a classification of metropolitan paupers. If the poor were classified, the result would be not only economy, but efficiency and greater humanity. He trusted the Amendment would not be pressed.

MR. C. P. VILLIERS said, he did not want to oppose the classification of paupers. On the contrary, he fully acknowledged the advantages that would result from such a procedure. He wished to know whether the right hon. Gentleman intended to have a separate building for every class of the poor distinct from the other?

MR. GILPIN said, he had come to the conclusion that the Bill perfectly and simply carried out what it professed in its title, and also what the right hon. Gentleman declared to be its object. He hoped, therefore, that the hon. Member for Marylebone (Mr. Harvey Lewis) would withdraw his Amendment.

Amendment *negatived.*

Clause *agreed to.*

Clause 6 (Formation of Districts.)

MR. THOMAS CHAMBERS said, he should like to know whether there was power given to the Board to constitute one large parish into a district? If there were not such powers given he should like to introduce words to effect that object.

MR. GATHORNE HARDY said, that there were such powers given to do it or not; and therefore if nothing were done, the parish or union would remain as it was.

Clause *agreed to.*

Clause 7 (Number of Asylums.)

MR. THOMAS CHAMBERS said, that some districts, especially the East of London, would be unable to find funds to erect those asylums, and suggested that they should be enabled to avail themselves of the existing charitable institutions of the metropolis, such as the small pox and fever hospitals, which had a much better medical staff than the local authorities could command.

Mr. GATHORNE HARDY said, it was notorious that the different districts availed themselves of the Lock Hospital and other institutions, and there was no reason why the same system should not continue. But, as a general rule, those hospitals to which the hon. and learned Member referred were intended for a different class of persons altogether than those who were likely to enter the asylums to be constituted under the Bill.

Sir MATTHEW RIDLEY said, he thought it highly proper that those asylums should be established in the various districts of the metropolis.

Clause *agreed to.*

Clause 8 *agreed to.*

Clause 9 (Constitution of Managers.)

Mr. THOMAS CHAMBERS said, he should move, as an Amendment, the insertion of the words, "The Managers shall be elected," and the omission of the words, "Partly elected and partly nominated." He desired that the experiment about to be tried should be tried in a modified form, and that there should be no nominated managers; but if it were found that the system he proposed did not work well, it could be altered, and nominees might be appointed. He had been told by all who were competent to form an opinion on the question, that the system of nominating the managers was one that would not work well. The nominated guardians would either attend the Board, and have it all their own way, or would not attend it at all, except when something special was to be done, and thus a bad feeling would arise.

Amendment proposed, in page 3, line 5, after the word "shall," to insert the words "be elected."—(*Mr. Thomas Chambers.*)

Mr. M'CULLAGH TORRENS said, he was one of those who were sincerely anxious that this Bill should pass. He gave the right hon. Gentleman the greatest credit for the measure, but this clause was, in his mind, fatal to the whole Bill. He hoped the right hon. Gentleman would consider whether he would make the principle involved in the clause a *sine quâ non.* He had heard no one out of that House give any opinion but one—namely, that this was the first step towards taking away the control of the ratepayers in Poor Law expenditure and management. The House ought to weigh well the magnitude of this question. He would raise no other difficulty, because he wished the Bill to pass; and he would ask the right hon. Gentleman to let the clause remain open until the other portions of the Bill were disposed of.

Mr. J. STUART MILL said, he agreed with the hon. Gentleman, and did not see any reason for the provisions in the Bill by which the Poor Law Board were empowered to appoint a certain number of guardians. According to his view, the guardians were, or ought to be, quite competent to perform their duties without any assistance from the Government of any kind; but in the case of the appointment of a manager, in whom special skill was required, popular election might not be altogether so satisfactory as the appointment of a responsible functionary. He was therefore fully disposed to support this particular clause, although he should oppose, with his hon. Friend the Member for Finsbury, that part of the Bill which left the nomination of the guardians in the hands of the Poor Law Board.

Mr. DOULTON said, he hoped that the right hon. Gentleman would consider the objection which had been made to the clause as it stood.

Mr. AYRTON said, he trusted the objection would not be pressed. It would be extremely inconvenient to ask the Committee to divide on an abstract question. Under the present system of Poor Law administration the nominative principle was adopted, as was instanced in the fact that in country unions justices of the peace were *ex officio* members of the Boards of Guardians. It was very desirable to have some responsible person connected with the administration of the Poor Law.

Mr. C. P. VILLIERS said, he took for granted that the object of this legislation was to provide a better system of relieving the sick poor in the workhouse. The past system had failed chiefly on account of certain views taken by the guardians as to the requirements of the medical officers and the medical relief; and also from their not observing the rules and regulations of the Central Board. These regulations were apparently perfect for their purpose; but so far had they been neglected it was perfectly impossible to know whether they were observed or not unless they had somebody on the spot, who could observe what took place in the establishment, and would communicate the result to the Board. This required some close relations between the Board of Guardians and the Central Board. He certainly should have suggested that there should be some person in these Boards generally more immediately under the control of the Central Board, than those contemplated under the system of nomination—some person connected with the Central Board, almost in the pay of the Board, and who had an interest in discharging the duty of seeing that the rules and regulations of the Board were carefully carried out. Without such person there might be a recurrence of the abuses recently disclosed. He presumed the right hon. Gentleman had found some difficulty in having such a connection between the Central Board and the Boards of Management, and he had substituted for it a provision that there should be some person nominated. He hoped, if this Bill passed, that the right hon. Gentleman, or whoever might be his successor in office, would be able to make provision as to the fitness of the persons to preside over the medical establishments. The number of managers ought to be limited, and that would limit the number of nominees. The fewer these Boards were composed of the better, and the stronger would be the administration. He should think three would be enough, and then there would be one Government nominee. The only doubt he felt was as to the persons supposed to be willing to accept the office of nominated members. He objected to a man's qualification for the office of guardian being measured by the rateable value of the tenement he occupied. Also, he could not conceive any persons giving up their whole time to the duties of an office unless they were paid for it. At the same time, the measure was tentative, and in the right direction; for those reasons it was entitled to favour, and, if in practice it should prove defective, the right hon. Gentleman or any of his successors would doubtless be willing to amend it.

Mr. BUTLER said, that as the representative of eighteen parishes in the eastern part of the metropolis, he could say that the feeling of the guardians was strongly opposed to the novel principle embodied in the Bill. He was sure the clause would not work well.

Mr. OLIPHANT said, he wished to ask whether there was any possibility of strengthening the inspectorate? Nobody in this world would do anthing for nothing. Gentlemen opposite who were governing the country were paid for it—the members of the actual Executive he meant. Men might be excellent guardians; but unless they were guardian-angels they would not give up so much time, which was giving up so much money, without any equivalent whatever. The fact that men did not get an equivalent in hard cash only proved that they must get an equivalent in some other form.

Colonel HOGG said, he admitted that in some respects the guardians had not done their duty, but no guardians had ever received any remuneration of any sort for the work they did. If the hon. Gentleman had inquired into the affairs of the metropolitan workhouses he would have found that all the guardians, whether rich or poor, had given their time gratuitously. The manner in which they had discharged their duties was a credit to them.

Mr. OLIPHANT said, he did not mean to cast any aspersions on the guardians. He had simply contended that the proper principle to act upon was to pay these men, and then their work would be efficiently done. As long as guardians were not paid for their work they might be expected to attend to their work as it suited their convenience, just as Members of the House of Commons attended the House, not every day and night, but as it suited them. In the case of hospitals and asylums great care was required, and the way to secure a proper superintendence of them was to pay for the superintendence.

Mr. CANDLISH said, the President of the Poor Law Board could make this clause work as he pleased. The House admitted that the principle of the Bill was excellent, but this clause would introduce an entire novelty in legislation. The House, on account of the general excellence of the Bill, was prepared to meet its blemishes leniently. But he asked the right hon. Gentleman to discard from it this new principle of nomination.

Mr. NEATE said, he thought it was much better to have paid representatives from the Poor Law Board on the Boards of Management. The managers would have to dispose not only of the parish funds, but of the common funds. A certain portion of the managers should be taken from the nominated guardians, and he would support the clause as it stood.

Mr. Alderman LAWRENCE said, there was a great deal of difference between allowing justices of the peace to act as *ex officio* guardians and permitting the Poor Law Board to nominate one-third of those managers. It was assumed that the metropolitan Boards of Guardians had neglected their duty, but he denied that that was the case. Some Boards of Guardians of the metropolis might have acted improperly, but the majority of the Boards of Guardians of the metropolis had devoted a large portion of their time to the discharge of their duties. His hon. Friend on his left (Mr. Oliphant) had a small acquaintance with the management of those matters; otherwise he would know that the persons elected Poor Law Guardians received no pecuniary reward, and were quite content with the thanks and kindly feeling of those around them when they had performed their duties. It was unfair to say that because there was mis-management in the parishes under the control of the Poor Law Board from the commencement, a general rule should be laid down by which the whole of the guardians of the metropolis should be deprived of their present power. The President of the Poor Law Board had admitted that when he visited the City of London Union he had been pleased with everything he saw. He warned the country Members that if the proposed innovation was adopted in London it would soon spread throughout the country. He hoped this new principle would not be introduced.

Mr. GATHORNE HARDY said, the number of Boards in London would be a serious argument against the proposal to appoint a paid officer to attend each of them. He repeated that the eyes and ears of the Poor Law Board were not sufficiently numerous, and to remedy this defect he hoped to meet with persons who would take their places at the several Boards in behalf of the Central Board, not from the love of money, but from the love of doing good. He had already received a letter from a medical man, who had filled some of the highest positions in India, and who had recently retired from practice, a friend of Sir John Lawrence, as he had been also of his brother, offering to place himself entirely at the disposal of the Board for the parish in which he resided. He agreed that the Boards should not be too large nor the nominees too numerous. The hon. Member for London (Mr. Alderman Lawrence), who had spoken with great emphasis on the question, forgot that the nomination system had not yet been tried, and he could assure country Members that if it failed in London it would not be proposed to extend it to the country.

Mr. Alderman LUSK said, he thought it would be found that the nominees and the guardians would not agree. His constituents greatly disliked the provision.

Mr. THOMAS CHAMBERS said, that the Poor Law Board should effect the object they contemplated by the employment of inspectors, and not by the employment of spies, for as such they would be treated. What set of gentlemen would like to conduct business with persons appointed to watch their proceedings with a view to report them to the head office?

Mr. C. P. VILLIERS said, it was not a novel proposal that the Central Board should know what was going on at the Boards of Guardians; that was stipulated in the general Act, but hitherto the Central Board had not possessed the machinery requisite for informing itself.

Question put, "That those words be there inserted."

The Committee *divided*:—Ayes 10; Noes 115: Majority 105.

Mr. VANDERBYL: I have carefully perused the Bill now under consideration; and while I fully concur in the favourable opinions expressed concerning it by different Members of this House as well as by the public generally, I cannot refrain from proposing two Amendments. And first with regard to the clause now under discussion—Clause 9. This clause states that the managers shall be elective and nominated; and the two following clauses describe the necessary qualifications, which it will be observed are of a purely monetary character, founded upon the rateable value assessed. Proceeding to Clause 22, we find some of the duties of these managers defined. They are to provide medical appliances and requisites for the treatment of the sick; and I may add they will have to attend to the construction and ventilation of wards, to decide often whether certain applicants are suitable for admission to those wards, and to consider a variety of subjects involving the health and comfort of the sick poor. Now it seems to me that some scientific qualification is essential; and considering the nature of the subjects that will constantly be coming before the managers, I know of no man better qualified to explain matters or give advice than the medical officer. His hospital training prepares him for this, and his daily intercourse with the sick poor in the asylum renders him better able than anybody else to describe at the meetings of managers what may be required—better far than any manager can. It is on these grounds that I propose as an Amendment that the medical officer for the time being shall be *ex-officio* a member of the Board. I am aware that many hon. Members think he can be called in when his opinion is wanted; but I think it is inconsistent with the dignity of the medical profession that the medical officer should be called in when required as if he were a nurse or a porter; and what is more important, I believe the sick poor will never be so well cared for while the medical officer (who so thoroughly understands their wants) is debarred from representing them on the Board. Supposing he has not a seat, what usually happens? Why, he has to describe what is required to some friendly manager, who will, of course, report what has been told him to the Board. Now we all know how much ordinary statements gain by repetition, and I also know how much scientific statements often lose thereby. By giving the medical officer the position to which his education and scientific knowledge even now so justly entitle him, I believe that men with still higher qualifications will apply for the appointments, especially as the Bill provides for the establishment of medical schools in connection with the district asylums. I have been asked by the noble Lord the Member for Chester to substitute his Amendment for mine, and as it is more comprehensive, I have no objection to do so. I therefore beg to move that—

> "The medical officer for the time being of any workhouse infirmary, and the resident medical officer of any asylum under this Act, and the district medical officer attached to any dispensary under this Act, shall be a member, without power of voting, of the Board of Guardians, Board of Managers, or Dispensary Committee, respectively."

Earl GROSVENOR said, he approved the Amendment, which would do away with the necessity of medical officers, who were educated men, being compelled to knock their heels about outside the Board-room while questions of interest to them, and in the discussion of which they were well qualified to take a part, were being considered within.

Colonel HOGG said, that the ratepayers could now, if they thought it desirable, elect medical men as guardians, and often did so; and it would be adopting a new principle, and one which, in his opinion, would not work at all well if the Committee agreed to the Amendment. When questions were discussed in which the advice of the medical officer was advantageous that officer was generally requested to appear before the Board and give his opinion, and if that course were not adopted on such occasions the guardians would fail to perform their duty.

Mr. AYRTON said, it was often desirable to have the medical officer's opinion in writing for the guidance of the Board; but if that officer became a member, even without the power of voting, he would not only be oftentimes placed in a false position, but his efficiency would frequently be destroyed. He was an officer to the Board; he ought not, therefore, to be a member of it.

Mr. C. P. VILLIERS said, that guardians were not to be blamed that they wanted knowledge in law and medicine, and when sanitary questions arose it was advisable that decision should not be come to in the absence of the medical officer. If the medical officer was only present to give advice, it would be productive of good, it would lead to a great improvement in his position, and would tend to prevent a repetition of the disgraceful circumstances which had occurred under the existing system.

Sir HARRY VERNEY said, that as the medical man was an executive officer, he ought not to sit upon a Board which might have to pass judgment upon his acts.

Mr. BRADY said, the failure of the Poor Law had hitherto been because the medical men had not had power, and therefore, as this was a step in the right direction, he should support the addition of the words.

Mr. THOMSON HANKEY said, he could not conceive anything less useful than putting medical men upon a Board where they had no vote, and where it would virtually amount to a waste of their time, which might be more usefully employed elsewhere.

Mr. GATHORNE HARDY said, he

strongly objected to the Amendment in the interest of medical men themselves, on the ground that it would place them in a most unpleasant position. They had now power to report anything they pleased to the Board of Guardians, or to the Poor Law Board.

Amendment *negatived.*

Clause *agreed to.*

Clause 10 (Election of Managers.)

SIR T. F. BUXTON said, he moved the omission of certain words at the end of the clause, on the ground that if they were retained the guardians would be limited in their choice of managers for these asylums.

MR. AYRTON moved, after the word "ratepayers," to insert the words "qualified to be guardians."

Clause amended accordingly.

Sir T. F. BUXTON's Amendment *negatived.*

Clause 11 *agreed to.*

Clauses 12 to 19, inclusive, *agreed to.*

Clause 20 (Furniture, &c., for Asylum.)

MR. ALDERMAN LUSK said, he strongly objected that, as provided by the clause, the guardians should be mere servants of the Poor Law Board even in the matter of providing furniture and fixtures. In this, as in everything else, everything must be done according to the order of the Poor Law Board.

MR. GATHORNE HARDY said, that was exactly what this clause did not provide. It provided that the managers should provide the necessary fixtures, furniture, and conveniences, and if they did not do enough then, as the Poor Law Board might from time to time direct.

Clause *agreed to.*

Clauses 21 to 28, inclusive, *agreed to.*

Clause 29 (Use of Asylums as Medical Schools.)

MR. THOMAS CHAMBERS said, objection had been taken to the provision for constituting the lunatic asylums medical schools. In cases in which that had been done it had been found a great nuisance.

SIR HARRY VERNEY moved that the words "and for the training of nurses" should be added to the clause.

Clause, as amended, *agreed to.*

Clause 30 *agreed to.*

Mr. Gathorne Hardy

House *resumed.*

Committee report Progress; to sit again upon *Monday* next.

House adjourned at a quarter before One o'clock, till Monday next.

HOUSE OF LORDS,

Monday, March 11, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Clerical Vestments (39).
Committee—Alimony Arrears* (17).
Report—Alimony Arrears* (17).

CLERICAL VESTMENTS BILL.

PRESENTED. FIRST READING.

THE EARL OF SHAFTESBURY: My Lords, perhaps your Lordships will allow me to lay upon the table a Bill which has been prepared for the correction of certain ritualistic abuses which have crept into the Church of England. Your Lordships are perfectly aware how deeply the feelings of the people have been moved by the introduction into the service of the Church of innovations so little in accordance with the long-established system of public worship in our country, and more particularly by that which relates to sacrificial vestments. It is on that account that the Bill which I am about to introduce touches the question of sacrificial vestments alone; and for two reasons—first, because those vestments strike the eye and offend the sense of the country in a particular and unusual degree; and secondly, because there is some ambiguity in the law on the subject. With respect to other matters—candles, incense, and other matters of that description, I believe the law is not doubtful, and we can redress the abuses by prosecutions in the Courts of Law; but with respect to sacrificial vestments there is a doubt, and because there is that doubt I now venture to propose a Bill to your Lordships. My object is to give the force of law to a usage regulating ceremonials of public worship that has existed in this country for nearly 300 years down to the present time. That usage—if we may call it so—was first prescribed by a statute of the latter end of the reign of Edward VI. The Act was repealed in the time of Queen Mary; but the same usage was afterwards re-instituted by the injunctions of Queen Elizabeth, in the year 1564. These injunctions regulated the ceremonial of the Church until 1603, when Convocation embodied in a canon—the 58th of the canons of the Church of England—the usage that had existed in the time of Edward VI., and under the injunctions of Queen Elizabeth in 1564. That canon was formed by the Convocation of the two Provinces of Canterbury and York, and was ratified by the Crown. The canon runs in this form—

> "Every minister saying the public prayers or ministering the sacraments or other rites of the Church shall wear a decent and comely surplice with sleeves; and if any question arise touching the matter, decency, or comeliness thereof, the same shall be decided by the discretion of the Ordinary. Furthermore, such ministers as are graduates shall wear upon their surplices, at such times, such hoods as by the orders of their Universities are agreeable to their degrees, which no minister shall wear, being no graduate, under pain of suspension. Notwithstanding, it shall be lawful for such ministers as are not graduates to wear upon their surplices, instead of hoods, some decent tippet of black, so it be not silk."

I propose, my Lords, to give effect to this by means of the statute law without touching the rubric or the canons. I merely adopt the spirit of the canon which was agreed to by Convocation and ratified by the Crown in 1604, the year after. I submitted this Bill to the right rev. Bench, and many distinguished Prelates entirely concurred in its provisions. Since that time, however, I have heard that the most rev. Prelate the Archbishop of Canterbury intends to propose a Bill on the part of the Bishops to this House. I am glad that it is so; but nevertheless I must submit this Bill to your Lordships, because it is doubtful when the Bill of the most rev. Prelate may be propounded, whether it may not be delayed or defeated, and I am anxious that there should be some measure in readiness to meet the case of either of these emergencies. Moreover, I cannot but think it right that after much trouble and time have been devoted to the framing of this measure it should be submitted to the country with the view of obtaining its opinion upon it. I beg, my Lords, to move that this Bill be now read a first time.

The Archbishop of CANTERBURY: It is quite true that the right rev. Bench do feel the gravity of the matter; the subject has been under our serious consideration for some time past, and we have come to the conclusion to bring in a Bill. But I am bound to say we hesitated whether that was the best course to be taken. I earnestly hope that in a week or ten days we may come to some definite conclusion.

Motion *agreed to.*

A Bill for better enforcing Uniformity in the Clerical Vestments and Ornaments to be worn by Ministers of the United Church of England and Ireland in the Performance of Public Worship—Was *presented* by The Earl of SHAFTESBURY; read 1ª. (No. 39.)

REPRESENTATION OF THE PEOPLE—REFORM STATISTICS.—QUESTION.

Earl GRANVILLE asked, Whether it was the intention of the Government to lay upon the table of the House any information with respect to Reform in addition to that which had been collected by the late Government?

The Earl of DERBY said, that no additional statistics with regard to the representation of the people had been called for by the Government or produced. All the statistical information which they had was already before Parliament; but that information would be shortly presented to Parliament in a more compact and comprehensive form, for the purpose of supplying the best information as to the probable effect of the Government proposals. He understood that several Motions for the purpose of obtaining further information had been made in the other House, and of course it was perfectly competent for any Member of their Lordships' House to make the same Motions here.

BRITISH MUSEUM—NATURAL HISTORY COLLECTION.

QUESTION.

In reply to a Question by Lord Lyveden,

Earl STANHOPE said, there was no foundation whatever for the rumour that the Trustees of the British Museum had come to any new decision as to the separation of the Natural History collection from the other collections of the British Museum. The recommendation which they did make was made seven years ago, upon the Motion of Lord Palmerston, who was then an Official Trustee, and was to the effect that it would be desirable to separate from the British Museum the collection of Natural History. But to assert that there had been any altered decision of the Trustees in a contrary sense, or in any sense, was not well founded.

MR. FRANCE'S PAMPHLET.

RESOLUTION.

Report of the Select Committee on Mr. France's Pamphlet read.

Lord REDESDALE said, that according to the Notice he had given, he proposed to call their Lordships' attention to the Report of the Committee appointed to inquire into the subject of Mr. France's pamphlet. The Report of that Committee was that the charge made by Mr. France against the Chairman of Committees, of having improperly introduced a clause into the Mold and Denbigh Junction Railway Bill of 1865, was without foundation. This relieved him from any impression the pamphlet might have been calculated to produce: but he regretted in some respects the manner in which the subject was referred to the Committee, because they were prevented reporting in some way upon the character of the clause introduced, and upon the circumstances which led to its introduction. These were matters of some importance, and he wished, therefore, to refer to them. The Bill in question was originally opposed; but the opposition having been withdrawn the Bill came before him as an unopposed Bill, and he then inserted the usual clause to meet the circumstances of a junction Bill. Under the circumstances, it was perfectly reasonable and proper that the clause should be introduced, and he was entirely absolved from the charge of having introduced it improperly by the evidence of Mr. France's own solicitor. In answer to the question whether, supposing the matter had been opposed before a Committee, he could have resisted the clause, he admitted that he could not; and his own impression was that it was a clause which it would have been impossible to have resisted, and that was the reason he gave his sanction to its introduction. Their Lordships would perceive that as regarded the clause, as well as the manner of its introduction, no blame could attach to himself. This was the seventeenth year he had filled the office of Chairman of Committees. In the seventh year of his holding the office a similar attack was made upon him in the *Edinburgh Review*. Fortunately the charges made were specific, and the editor of that work having allowed him the privilege of an answer to those charges, in the next number he wrote a reply; and he believed those of their Lordships who had seen the publication would admit that in the most complete manner he refuted every one of the charges brought against him. Now ten years afterwards this charge was brought against him; and their Lordships would see from the temper in which it was made that if any other charge could have been made it would have been preferred. He was far from regretting that the charge had been made, because its isolation and the complete answer to it proved by inference that he had discharged the duties of his office creditably to himself and advantageously to the House. Mr. France made his charge in a pamphlet sent to nearly all the Members of both Houses of Parliament; and therefore, although having been somewhat hardened by the experience of office these matters scarcely affected him, he felt he ought not to allow the charge to pass; for had it been brought against any one more new to the office than he was it might have been more distressing to another Peer than it was to himself. It was for their Lordships to guard their officers against such charges. He believed Mr. France to be so extremely wrong-headed that it was almost impossible to remove any false impression he entertained. For instance, he persisted in asserting that the Select Committee to which the Bill in question was referred passed the preamble of the Bill; whereas the Committee reported that they did not enter upon the consideration of the Bill because the opposition was withdrawn; while the Standing Orders laid it down that when opposition was withdrawn a Bill was referred to the Chairman of Committees, as if it had been originally unopposed. Under these circumstances, it was impossible the Committee could have declared the preamble proved. He did not think it necessary to press their Lordships to take any steps with regard to Mr. France; he was perfectly satisfied to leave the matter entirely in their Lordships' hands, believing that they were the best judges of what ought to be done under the circumstances. He was rather disposed to suggest that Mr. France was utterly unworthy of their Lordships' further attention.

Lord TAUNTON, as one of the Committee to which Mr. France's pamphlet had been referred, in answer to the noble Chairman of Committee's complaint as to the form in which the matter was referred to the Committee, said it would have been most improper for the Committee, after the lapse of two years, to revive the original question as to the character of the clause, and to determine whether it was a proper clause or not. The question referred to the late Committee was not whether the clause was a proper or an improper one, but whether it was properly introduced by the noble Lord as Chairman of Committees; and he had no hesitation in saying that there could be no doubt that the noble Lord acted with entire regularity and in accordance with the well-known Rules and Standing Orders of the House. Whether the clause was a right one or a wrong one—on which the Committee expressed no opinion—he was bound, as a member of the Committee, to say that he considered the noble Lord was entirely cleared of the charge brought against him. He was glad to hear the noble Lord say that, under the circumstances, he did not press for any ulterior measures against Mr. France, who did not impute any corrupt motive to the noble Lord, and, after all, the noble Lord, occupying the position he did, must not be too thin-skinned, as to a certain extent his official conduct was exposed to public criticism. He did not deny the right of public criticism on occasions of this kind—on the contrary, he thought the public derived great advantage from criticism when fairly conducted. But on this occasion he thought the noble Lord had not merited the charge brought against him—he had acted strictly according to the Rules of the House, and had exercised a sound discretion. He entertained as high an opinion as any man of the value of the services which the noble Lord rendered as Chairman of Committees.

THE DUKE OF MARLBOROUGH would make but very few remarks on this subject, as he could only re-echo the opinions of the noble Lord who had just sat down. The question in dispute was one not of opinion, but of fact. The Committee, of which he was a member, had experienced no difficulty in arriving at a conclusion, inasmuch as they had merely to investigate a number of facts, to ascertain whether there had been any irregularity in the conduct of the noble Lord the Chairman of Committees. There really could be no doubt on the subject, for the question did not depend on the veracity of witnesses. The truth was arrived at by the easiest possible means—there was no difference of opinion—every member of the Committee came to the conclusion that there was not the slightest foundation for the charge brought against the noble Lord who for so long a time, and with such great reputation, had held the position of Chairman of Committees. He did not know what course the House might choose to adopt on the present occasion; but as the statements made with regard to the noble Lord who held so responsible a position in that House might in some degree implicate the House itself, it might, perhaps, be proper that some action should be taken in order to vindicate the propriety and integrity with which the noble Lord had acted.

THE MARQUESS OF CLANRICARDE said, he entirely agreed with what had been said by the two last speakers as to the integrity with which the noble Lord had performed his duties, and that there was no ground whatever for the charge which had been made against him. He agreed, too, with the statement of his noble Friend who had just sat down as to the facility with which the Committee had arrived at its conclusion. He, in common, he believed, with all the other Members of the Committee, had that morning received a letter from Mr. France, and had been requested to read it to their Lordships; but this he should decline to do, because he thought no further proceedings ought to be taken with reference to the merits of the clause or of the Bill. He was glad the noble Lord the Chairman of Committees had brought this matter before the House, and he hoped this occurrence would be considered deeply with a view to amend the system of legislation respecting Railway Bills. He had on several occasions drawn attention to the subject, and it was well-known that his opinion in regard to it differed from that entertained by many of their Lordships. This Bill was a striking illustration of the mischievous and ruinous results of our system of legislation for railways. The effect of the system was felt all over the kingdom, and it had caused such a waste of money, labour, and time as no other country could have endured. In the present instance the railway was not one which had been got up by contractors. The Bill was introduced and referred to a Committee of the House of Lords. It was opposed by a great Company, and the parties interested in the Bill were consequently put to the expense of counsel, witnesses, and so forth. Now what happened? When the Bill was opened, the counsel for the opponents got up and declared on the part of his clients, the great Company, that he did not think it necessary to offer any further opposition to the Bill, which, therefore, went straight to the Chairman of Committees as an unopposed Bill. When it got into his room the agent of the opponents of the Bill appeared before the noble Lord and proposed the insertion of a clause which was said to be a usual one; but if that were the case it might be asked why it had not been introduced into the Bill at an earlier period? About £200,000, he understood, had been already expended upon the railway, which, however, would under this clause be entirely delivered up to the mercy of the great Company which opposed it, unless another Act of Parliament were passed on the subject. The agent for the opposition told the Select Committee that it was intended to effect a compromise before the Bill was withdrawn; but that the clerk omitted to carry out this intention by inserting the clause. But the agent did not state that the clerk had received instructions to make any such condition or compromise. He did not wish to throw any doubt whatever on the statement of the Parliamentary agent; but, supposing that that gentleman was acting solely in the interest of his clients, he knew well enough that the noble Lord the Chairman of Committees thought it was right to insert the clause. Of course, his noble Friend acted upon his own judgment, and he did not for a moment say that he had arrived at a wrong conclusion. What he objected to was that in the case of an unopposed Bill there was no protection whatever against the introduction of clauses except the decision of his noble Friend the Chairman of Committees. Such a system could not be regarded as satisfactory. The subject was of the highest importance, and some measure to remedy the defects of the existing system would, he hoped, be introduced by the Government.

THE LORD CHANCELLOR said, the noble Marquess had carried them a little away from the subject; he would endeavour to bring them back to it. His noble Friend the Chairman of Committees had placed himself entirely in the hands of their Lordships as to the mode in which they should deal with the Report of the Committee on Mr. France's pamphlet. After the observations which had been made by several of their Lordships, he had little difficulty in stating his opinion as to the course which the House ought to pursue—not for the purpose of vindicating his noble Friend from the charge of having improperly exercised his functions as Chairman of Committees, which he had for so long a time discharged so ably and impartially, but for the purpose of dealing with Mr. France. After the observations of the noble Marquess (the Marquess of Clanricarde), it would be perhaps as well that their Lordships should be reminded of what had so offended Mr. France as to lead him to publish the pamphlet. Mr. France was a contractor and a promoter of the Mold and Denbigh Junction Railway Extension Bill. The opposition to the Bill in question having been withdrawn, it went before his noble Friend, in accordance with the Standing Order, as an unopposed Bill. He considered the Bill in the common way; and the proviso having been proposed by the agents of the London and North-Western Railway Company, his noble Friend heard those gentlemen and also the agents of the promoters. The clause proposed was, he understood, a very common one in Bills for junctions; and the Chairman of Committees, in the exercise of his judgment, came to the conclusion that it was one which ought to be inserted in the Bill before him. But the way in which it should be introduced by the House was on the third reading; so that before it was made part of the Bill, Mr. France and all other persons interested had full notice. Mr. France, being ignorant of the forms of the House, when the opposition was withdrawn thought that the Committee had necessarily declared the preamble proved, and that therefore no alteration could be made in the Bill, although, before their Lordships' Committee, evidence was given in Mr. France's presence to show that it was a justifiable proceeding. He was then displeased at finding this Amendment and wrote the angry letter which nothing could justify; a Select Committee had inquired into the charges made, and reported that they were utterly unfounded. Their Lordships would observe that Mr. France did not make any charge against the character of the Chairman of Committees of having acted partially or improperly. What he did charge was, that the noble Lord had inserted the clause under an arbitrary exercise of authority. From the tone of Mr. France's pamphlet, from his correspondence with the noble Lord, and from his conduct before the Select Committee, he believed nothing would give Mr. France greater pleasure than being called to the Bar of their Lordships' House and reprimanded by the Lord Chancellor. He, for one, was not disposed to afford Mr. France that pleasure. As the judgment of the Select Committee and of their Lordships' House would, he felt sure, be ratified by the public, what Mr. France might think of his noble Friend the Chairman of Committees must, he presumed, be a matter of indifference to that noble Lord. Under these circumstances, he would ask the House to deal with the matter by passing the following Resolution:—

> "That this House adopts the Report of the Select Committee on Mr. France's Pamphlet, which was arrived at after an Inquiry in which Mr. France had an Opportunity of being fully heard, and expresses its entire Confidence in the Integrity and Impartiality of the Chairman of Committees in the Discharge of his Duties."—(*The Lord Chancellor.*)

On Question, *agreed to.*

REPRESENTATION OF THE PEOPLE—ELECTORS IN CITIES AND BOROUGHS.

MOTION FOR PAPERS.

EARL RUSSELL: My Lords, I rise to move for Returns on the subject of the franchise. My purpose in bringing this Motion before your Lordships is two-fold. In the first place, I desire to call attention to certain proceedings which have been adopted with reference to a reform of the representation of the people in Parliament; and, in the next place, to call attention to the present state of that question. I presume no one will deny that this House is as much interested as any part of the country whatever in the representation of the people in Parliament. On the question whether the House of Commons is well or ill constituted depend the weal and woe of this country in the future as well as at the present time; and therefore I will make no apology for calling your Lordships' attention to this subject. Your Lordships will recollect that in the Queen's Speech the attention of the two Houses of Parliament was directed to it; and on the same day, the 5th of February, the Chancellor of the Exchequer gave notice that on the following Monday he would make a statement with reference to Reform to the House of Commons. Every one must have given credit to the Government for the promptitude with which it appeared Her Majesty's Government were about to proceed with the question, and the unanimity of the Government in their opinions. Accordingly, on the Monday following, the right hon. Gentleman did make a statement; but it was so obscure that it was impossible for any one to gather from it what were the precise intentions of Her Majesty's Government. On the next day a series of Resolutions were laid on the table of the House of Commons; but from these it would have been as difficult, without further explanation, to decide what the Government intended. But after some time it appeared that they had changed their purpose of proceeding by Resolution, although no opposition had been made to their proceeding by that method; and it was announced that a Bill would be brought in, the Chancellor of the Exchequer stating to the House of Commons what the main features of that Bill would be. That, I think, was on the 23rd of February. In the beginning of March both Houses of Parliament were told that a change of opinion had occurred; that the Bill which had been announced would not be brought in; and that a Bill grounded upon the principle of the Resolutions would at once be introduced. It is a course entirely without precedent—it is a course which shows great vacillation on the part of Her Majesty's Government in that which was supposed at first to have been unanimously propounded. In the course of the speech in which that statement was made, opportunity was taken to state that the operation of the original Reform Bill has been to exclude the working classes from the franchise; it was said, moreover, as I am told by a Minister of the Crown, that the present Ministers are now about to restore to the working classes those franchises of which hitherto they have been deprived, and to do them that justice which hitherto has been denied to them. Such a statement induced me to look back to see what actually passed at the time of the Reform Bill, and also what has occurred since with regard to the number of persons disfranchised. If your Lordships will permit me, I will cite what I stated to the House of Commons on the occasion of the second reading of the Reform Bill which afterwards passed through Parliament. I said—

> "It is, therefore, desirable to fix upon a class of persons, who shall partake largely of the popular spirit, and yet not constitute a body hostile to property, or debased by ignorance. In order to effect this it will be advisable to bring into action the more intelligent of the working class in the large towns, and the more respectable of the

middle class in the small boroughs."—[3 *Hansard*, ix. 497]

I then gave an account of what would happen at Leeds, where the working classes would be generally excluded, and proceeded as follows :—

> "I do not say, certainly, that the working classes will be excluded, generally, in large towns to the same extent that they will be in Leeds. I should be sorry to think that such would be the case. The operation of time and the growth of our manufactures have produced that anomaly in our Constitution—a mass of industrious, intelligent, prosperous men, without any direct tie binding them to our Government. . . . . It is an object with every sound Reformer to reclaim this powerful tribe from the political desert to which they have been confined; to recall them from wild prospects and hostile schemes, in order to bind them to our institutions, to make them a part of the great family of the Constitution, partaking in all its privileges and defending it in all its dangers."—[500.]

That was the promise and the profession of the Reform Bill of 1831, and the consequence was that, though the working classes were not admitted to the extent we had wished, or that we should have been glad at the time that they could have been admitted, they were still admitted to a considerable extent. In such places as Leeds, Birmingham, Manchester, Sheffield, and other places, none of the working classes had been previously admitted to the franchise, and Lord Liverpool and Lord Castlereagh were, to the end of their lives, opposed to the enfranchisement of those great towns. I in vain endeavoured to induce the House of Commons to permit three of those towns to send representatives to Parliament. In looking over the different Returns, I find that in twelve of the thirty-nine boroughs created by the Reform Bill, there were more than 25 per cent of the electors composed of the working classes; in thirteen others there were from 15 to 25 per cent of the electors so composed; and in twelve others there were under 15 per cent. On the whole, by the Reform Act, there were 58,000 of the working classes admitted to the franchise who never had votes before. I find, likewise, from the Returns presented to Parliament last year by Her Majesty's command, that there were 70,000 more in the old towns belonging to the working classes who were admitted to the franchise. In certain towns there were some, undoubtedly, who were deprived of their franchise. In some these were scot and lot voters, in others these were the ordinary freemen, and in some they were persons who held under burgage tenures. Altogether there appear to have been about 57,000 persons who since the Reform Act have been by death or otherwise removed from the privilege of forming part of the electoral body; while, as I have already said, there were 58,000 of the working classes to whom for the first time we gave the suffrage. The whole body contains therefore a large number less, not of the working classes, but of those who had the special franchises. With regard to the representation generally, it was the opinion of the Government of that day that there had been so many abuses at elections, that even in the few populous boroughs which existed there had been so much of bribery, treating, and corrupt practices, that it was better to have a body entirely new, and both in the old and new boroughs to give the franchise to persons holding premises of a certain money value. Undoubtedly, the first consequence of that step was that the substantial part of the elective body consisted of the middle classes; I have never denied that consequence—I always thought that it tended to the stability of our institutions; and I think your Lordships will agree with me that during the time that has elapsed since the passing of the Reform Act the electoral body, generally speaking, has maintained harmony with the rest of our institutions, and has, in the words which King William IV., by advice of Lord Grey, addressed to Parliament—

> "Adhered to the principles of the Constitution, by which the prerogatives of the Crown, the privileges of the two Houses of Parliament, and the rights and liberties of the people were equally secured."

It was, I think, owing to the perseverance of Lord Grey, and owing to the eloquence with which he maintained in this House all the popular principles embodied in the Reform Act—especially the disfranchisement of the small close boroughs, which had become a scandal to the country—that the measure was carried triumphantly. Your Lordships will have seen lately a work which contains the correspondence of Earl Grey with his Sovereign, William IV. Everyone who reads that book must be of opinion that it was impossible to combine in a greater degree the respect and loyalty due to his Sovereign with the sincere maintenance of popular principles. It is the praise bestowed by one of our poets upon books that they speak the truth, and—

"To various people tell not various things,
But what they say to subjects say to kings."

Lord Grey in this respect resembled a volume, never concealing from his Sovereign what he was saying to his subjects, and never ceasing to impress upon those subjects the loyalty which he invariably expressed to his Sovereign. Having thus stated to your Lordships the provisions of the Reform Act, I do not see, as has been elsewhere asserted, that it deprives the working classes of votes; but, on the contrary, by giving representatives to thirty-seven towns which never before had any, it increased the power of the working classes. In 1851 it became the opinion of the Government, of which I was then at the head, that some further change should be made, regard being had to the great increase of wealth in the country, and to the great increase in the number not on the electoral roll; and, at the same time, that advantage should be taken of this opportunity to extend the right of voting given to tenants-at-will in counties. That franchise given to tenants-at-will in counties certainly did not meet with my support. Although I was not present at the time when it was carried, the grounds on which I objected to it have been very much misrepresented. It has been stated that I objected to the enfranchisement of the farmers of England; the real fact is that I thought it quite right that the franchise should be extended to occupation, but I thought £50 too high a sum at which to place the occupation franchise in counties. I believe that if, instead of proposing £50 as the limit, it had been proposed to give the franchise to £20 occupiers, that franchise would have lasted much longer and provoked fewer complaints; whereas repeated proposals have been made that it should be reduced to £10 in counties, as in boroughs. In 1851 I suggested, and in 1852 I proposed, a Bill founded on these two principles, that of admitting a greater number of the working classes to the franchise in boroughs and that of reducing the amount of the occupation franchise in counties. It has been stated over and over again, and it is one of those popular sayings that pass without contradiction, that five Reform Bills have been introduced and five have failed. That is not a correct statement of the fact; for the Bill proposed in 1852 never came to any debate whatever in Parliament. The Government resigned, and the noble Earl opposite came into office. I did not think it my duty then to raise the question, nor was the question raised by the then existing Government; and, consequently, that Bill cannot be said to have failed, for it never was brought forward for discussion. I have been told again with regard to the Bill of 1854, which had the assent of Sir James Graham, Sir Charles Wood, and others, that it likewise was a failure. But the fact is that this Bill also was never brought forward for discussion, because the Russian war intervened and effectually prevented any debate on the subject. Three Bills, however, have been actually introduced and discussed; there was one in 1859, another in 1860, by the Government of Lord Palmerston, and a third last year. Having, my Lords, given frequent and much attention to the subject of Reform, I venture to intrude upon your Lordships some remarks with regard to the principles upon which it is said the Bill now in contemplation may be based.

THE EARL OF DERBY: I feel bound to rise to order. The noble Earl has already taken great latitude in commenting upon what is said to have been said in "another place;" but I certainly must take exception to his remarks with regard to the supposed principles of a Bill which has not yet been introduced to Parliament, and of which it is absolutely impossible for us, as a House, to know anything whatever.

EARL RUSSELL: I do not wish to comment upon the principles of a Bill which has not yet been introduced to the House of Commons; but I think I have a right to comment upon that which is discussed in the public papers almost every day with reference to the manner in which a measure of Reform ought to be constructed so as to give satisfaction to the country. It is very commonly said that the only way of framing a permanent Bill—a Bill founded on a sound principle—is to return to the old scot and lot franchise in boroughs, and this assertion appears to meet with general consent. Now, this is a subject we had under consideration in a small Committee, and afterwards in the Cabinet, at the time of the original Reform Bill; it has since been discussed over and over again, and I have recently turned my attention to the question as to whether it is now a fit principle to base a Reform Bill upon. I have come to the conclusion that, although it is natural to regard this as the old principle of the Constitution, and to take it as a basis in our attempt to fix the franchise for the future, yet it would be found extremely difficult, though perhaps not impossible, to adapt such a principle to the present state of society. In the 17th century, when the famous Glanville Committee stated that scot and lot was the principle upon which the franchise ought to be founded, those who paid scot and lot were the great substantial burgesses of the towns; it was from them that the Chancellor of the Exchequer obtained revenue for the support of the Crown; and they were the persons who were called upon to defend the country in case of invasion. But the state of society for many years past has been totally different, and it is different at the present time. I have examined the Returns to find whether any great change would be made in the list of electors in London if every person who is rated as the occupant of a tenement were given a vote, and I find that there would be scarcely any change. In Westminster perhaps one or two persons would obtain the franchise, and in some of the metropolitan boroughs six or seven, forty or fifty in another. The reason that no essential change would be made by the introduction of this principle is that the greater portion of artizans, artists, clerks, and professional men live in lodgings and are not householders in the legal sense, although it would be impossible not to include them in any reformation of the franchise. Then, again, there is a large class of persons in the country called "compound householders" who, by an arrangement made first by an Act of 59 *Geo.* III., and afterwards by an Act of the present reign, have their rates paid by their landlords. The rate collectors rely upon the landlord, who is re-paid by the tenant when he pays his rent. Any franchise, then, which will not admit both the lodger and the compound householders will be imperfect. I should say, therefore, that if Parliament were to resolve upon anything like scot and lot as the basis of a Reform Bill, that basis must be departed from, not partially, but almost totally, by admitting, first, lodgers, and, in the next place, compound householders. We are told, however, that to give the franchise to lodgers paying a certain amount would not be a permanent franchise, because the sum paid might be reduced from time to time. But if you once admitted lodgers without naming any sum, you would then arrive, as nearly as possible, to that which the Reform League has asked by the mouth of Mr. Potter in Trafalgar Square—that is, manhood suffrage with simple residence, and with no condition whatever as to the money value of that residence. It appears to me that the principle first set forth by the Committee of the 17th century can with great difficulty be adopted at the present time; and, if that be the case, I cannot see how you can maintain that what is not fitted for the present constitution of society would make a sound permanent basis for a Reform Bill. The measure which I had the honour to introduce in the House of Commons, and which the noble Earl opposite (the Earl of Derby) sustained in that House with an eloquence which defeated all its opponents, has now, for thirty-five years, been the law of the country; it has contributed to the establishment of the municipal corporations; it has contributed to the registration of the Births and Marriages of Dissenters; it has contributed to the establishment of Free Trade; and, whatever changes you may now make with respect to it, I doubt whether you can improve the foundation on which it is based. If it be required, as I think it is required, that the best of the working classes should be added to the electors throughout the country, I do not think you should make such a total change as will swamp altogether the middle classes, and make them without weight or power in this country. I beg leave to move that an humble Address be presented to Her Majesty, praying that there be laid before this House—

1. A List in alphabetical Order of the Cities and Boroughs in England and Wales returning Members to Parliament previously to the passing of the Act 2d and 3d Will. IV. Cap. 45., and stating the Nature of the Suffrage existing in each City and Borough:

2. A Return showing the Number of Electors in each City and Borough in England and Wales for 1865-66, classed according to the several Qualifications in respect of which they are entitled to vote; and the Number of such Electors who come within the Description of Mechanics, Artizans, and other Persons supporting themselves by daily manual Labour, classed in like Manner:

3. The Number of Electors made out from the foregoing Return, distinguishing those who come within the Description of Mechanics, Artizans, and other Persons supporting themselves by daily manual Labour in the Cities and Boroughs entitled to return Members to Parliament before the passing of the Reform Act, and distinguishing the Mechanics, Artizans, and other

working Men entitled to vote as Scot and Lot Voters, Potwallers, and other ancient Right Qualifications from those entitled to vote as Freemen or as £10 Occupiers :

4. A similar Return of Mechanics, Artizans, &c. in Cities and Boroughs entitled to return Members to Parliament for the first Time by the Act 2d and 3d Will. IV. Cap. 45. ; and also in the Borough of Birkenhead.—(*The Earl Russell.*)

The Earl of DERBY: My Lords, I must say that I have heard with the most unfeigned astonishment the speech of the noble Earl who has just sat down. I came down to your Lordships' House expecting to hear that he was about to ask for information to enable him more completely than we can, or are supposed to be able at present, to judge of a measure which, at no very distant period, Her Majesty's Government intend to bring under the consideration of the other House of Parliament. I listened to his speech, but the noble Earl has not given us any reason for his asking for this information, he has not vouchsafed a word on the subject of his Motion ; he has indulged in a series of autobiographical reminiscences which are, no doubt, exceedingly interesting to your Lordships, and especially so to the noble Earl himself. He has gone back to the 17th century; he has discussed the principle of a Reform Bill in the passing of which I took a humble part, though I did not stand in regard to it in so prominent a position as the noble Earl himself; and he has given us a history of the measures of Reform introduced by various Governments since 1851 ; but with regard to the Returns, for which he has an undoubted right to move, and as far as his Motion is intelligible to me I shall be most happy to give him, not a single word has fallen from his lips during the lengthened period which he has addressed your Lordships. I hope he will not think me disrespectful if I decline to follow him in any charges which he has made against the present Government, on account of the course which it has pursued during this Session ; the circumstances under which it laboured I have already had an opportunity of explaining to your Lordships at length. Nor am I about to discuss the merits of the Chandos clause, or the peculiar qualities of a £10 franchise as the basis for a Reform Bill. There is no question that the Reform Bill introduced in 1831 imported into the constituencies of the country a very large number of the working classes beyond those who previously held the franchise ; but the noble Earl somewhat irregularly referred to the statement which has been made elsewhere that while the Reform Bill introduced a large number of the working classes, it also excluded from the constituencies of many boroughs a very considerable portion of the working classes who exercised their rights under different franchises which the Bill abolished ; and this the noble Earl does not deny. Whether it was wise to do this or not in some respects, I say it was certainly a mistake to abolish all those various franchises which gave a degree of variety to the electoral body of this country, and, instead, to bring the whole down to the dead level of a £10 occupation. The noble Earl admits that since 1830 the effect of the gradual extinction of their existing rights, and the termination of existing interests, has been to strike off a very large number—I think he said, 58,000 persons—belonging to the working classes from the electoral lists. These were composed partly of freemen, partly of potwallopers, partly of freeholders, and partly of others having ancient rights to vote ; and they have all been swept away by the Bill championed by the noble Earl, who believes it is the intention of the Bill about to be introduced to restore a certain number of these franchises to the working classes. Now, my Lords, the noble Earl has been kind enough to give us a sketch of what he thinks ought to be and what ought not to be introduced into the Reform Bill. He will excuse me if I say it is better at present to abstain from the discussion of abstract principles of Reform, or what is or is not likely to be in the coming Reform Bill, and I must respectfully decline to discuss his argument in this respect. Now, my Lords, I will not say another word with regard to the speech of the noble Earl; but, with reference to the Returns for which he has moved, I wish to ask an explanation of what appears to me to be perfectly incomprehensible. About the first part of the Motion of the noble Earl there can be no difficulty whatever. The second Return is one that was furnished by Her Majesty's late Government in the course of last Session. It is very voluminous ; but it was laid on the table of the House of Commons and there was no objection to its production. It contains—

"The number of electors in each city and borough in England and Wales for 1865-6, classed according to the several qualifications in respect to which they are entitled to vote; and the number of such electors who come within the description of mechanics, artizans, and other persons supporting themselves by daily manual labour, classed in like manner."

But as regards the third Return for which the noble Earl has moved, I want to know how he can ascertain, from a Return relating to the state of constituencies in 1865-6—

> "The number of mechanics, artizans, and other persons supporting themselves by daily manual labour in the cities and boroughs entitled to return Members to Parliament before the passing of the Reform Act."

How is it possible, from the Return of 1865-6, to make a Return showing the state of the constituencies in 1831?

Earl RUSSELL: It does not mean the number of persons entitled to vote in 1831, but the number of persons in 1865, in the boroughs which now remain after the passing of the Reform Act.

The Earl of DERBY: But there is nothing said about that in the Return moved by the noble Earl. All the boroughs disfranchised by the Reform Act are, in fact, included in the second Return of the noble Earl, the electors of which he asks to be made out from the Return of 1865-6. How are we to distinguish the mechanics and artizans, and other working men who were entitled as scot and lot voters, from those who were entitled as freemen? If the noble Earl only means to apply for those included in the second Resolution, the rest is all surplusage; because the noble Earl can attain his objects by moving, as an addition to the second Resolution—

> "The number of Electors in the Cities and Boroughs in 1865-6, distinguishing those who were entitled to send Members to Parliament previous to the passing of the Reform Act, from those who were so entitled since the passing of that Act."

If the noble Earl will strike out the last two Resolutions, and amend the second in the way I have suggested, showing the distinction laid down, there cannot be the slightest objection to furnish the Returns asked for.

Earl RUSSELL: I think the Resolutions are perfectly intelligible as they stand, but I have no objection to amend them as suggested by the noble Earl.

Motion *agreed to.*

1. A List in alphabetical Order of the Cities and Boroughs in England and Wales returning Members to Parliament previously to the passing of the Act 2d and 3d Will. IV. Cap. 45., and stating the Nature of the Suffrage existing in each City and Borough:

2. A Return showing the Number of Electors in each City and Borough in England and Wales for 1865-66, classed according to the several Qualifications in respect of which they are entitled to vote; and the Number of such Electors who come within the Description of Mechanics, Artizans, and other Persons supporting themselves by daily manual Labour, classed in like Manner; distinguishing those Cities and Boroughs which were entitled to return Members to Parliament previous to the passing of the 2d and 3d Will. IV. Cap. 45. from those which have been enfranchised by that Act, including the Borough of Birkenhead.—(*The Earl Russell.*)

House adjourned at half past Six o'clock, till To-morrow, half past Ten o'clock.

HOUSE OF COMMONS,

Monday, March 11, 1867.

MINUTES.]—New Writ Issued—*For* Boston, *v.* Meaburn Staniland, esquire, Manor of Northstead.

New Member Sworn—Hon. Percy Egerton Herbert, *for* Salop (Southern Division).

Select Committee—On Limited Liability Acts, Mr. William Edward Forster *added.*

Public Bills—*First Reading*—Sale of Land by Auction* [70].

Second Reading—Valuation of Property [12].

Committed to Select Committee—Valuation of Property [12].

Committee—Metropolitan Poor (*re-comm.*) [66]; Consolidated Fund (£369,118 *5s. 6d.*).*

Report—Metropolitan Poor (*re-comm.*) [66]; Consolidated Fund (£369,118 *5s. 6d.*)*

Considered as amended—Sugar Duties [37].

Third Reading—Shipping Local Dues* [5]; Duty on Dogs* [36], and *passed.*

THE NEW NATIONAL GALLERY.

QUESTION.

Mr. JULIAN GOLDSMID said, he wished to ask the First Commissioner of Works, Whether the following statement, contained in a letter addressed to him by the architects competing for the New National Gallery, is not correct, namely—

> "We agreed to enter the competition on the distinct understanding with your Lordship's predecessor, the Right Hon. W. Cowper, that one of the competing architects would be selected for employment;"

and, whether he does not therefore intend to intrust the erection of the new building to one of those gentlemen?

Lord JOHN MANNERS: Sir, I do not well understand the object of the hon.

Member's Question, nor in what sense he expects me to answer it. If he means whether I place implicit reliance on a statement made by ten gentlemen of high honour and great professional eminence, I answer decidedly in the affirmative, that I do place implicit reliance on their statement. But if he means to ask if I find in the records of the Office of Works any corroboration of that statement, I am bound to say that on looking at the papers I do not find any corroboration of that statement. With respect to the second Question of the hon. Gentleman, he is no doubt aware that the Judges, in their Report, do not give any recommendation as to the reconstruction of the existing National Gallery or the building of a new one. That question, therefore, is left to the consideration of the Government. It is now under their consideration, and I cannot therefore say what course may be adopted with respect either to the re-construction of the old building or the execution of a new one. When that decision is arrived at, I cannot doubt that Government will give every consideration to the agreement stated to have been entered into with the right hon. Gentleman opposite (Mr. Cowper) by the competing architects.

THE DUTCH IN SUMATRA.—QUESTION.

Mr. WHITE said, he would beg to ask the Secretary of State for Foreign Affairs, If he will lay upon the table of the House the Correspondence between Her Majesty's Government and the Netherlands Government relating to Dutch encroachments on Native States in Sumatra, and also copy of any Memorials thereon presented by British Merchants at Penang?

Lord STANLEY: Sir, the correspondence to which the hon. Gentleman's Question refers extends over a long course of years. It is exceedingly voluminous, and I have not had time to look into it since the notice appeared; but I will have it examined, and any papers that can be laid before the House without public inconvenience shall be produced.

INDIA—FAMINE IN ORISSA.

QUESTION.

Mr. BARNES said, he wished to ask the Under Secretary of State for India, When he expects to receive the Report of the Commission appointed by the Governor General of India on the 8th December last to "elicit full information" concerning the recent famine in Orissa; and whether he will lay the Report on the table of the House as soon as it arrives?

Sir JAMES FERGUSSON, in reply, said, it was impossible to say when the Report would arrive, but it would be laid on the table without loss of time. The inquiry was still being prosecuted.

THE REFORM BILL.—QUESTION.

Mr. DARBY GRIFFITH said, he would beg to ask Mr. Chancellor of the Exchequer, If Boroughs which are perfectly uncorrupt as well as thoroughly independent, and at the same time are towns of great local importance and centres of trade and commerce over large districts in the Country, are to be called upon to lose a Member in order to promote Reform, on what grounds it is proposed that certain others, which are mere proprietary and nomination Boroughs, and which habitually obey the command of their patron in the election of a Member, are to be exempted from making a corresponding sacrifice?

The CHANCELLOR of the EXCHEQUER: Sir, the inquiry of my hon. Friend, although distinguished by his usual acuteness, does not appear to me to fall within the legitimate limits of Questions such as are put in this House. The inquiry of my hon. Friend is founded upon a series of assumptions which may or may not be true, but which can only be established or refuted, not by answering a question, but by a process of debate and discussion. I hope my hon. Friend will, on further consideration, keep this subject for the impending debate on the Reform Bill rather than expect me to give an answer. If therefore I decline to answer a Question which I could not do without making a speech, I trust that my hon. Friend will not think that I am showing any disrespect to him.

INDIA—THE STRAITS SETTLEMENT.

QUESTION.

Mr. O'REILLY said, he rose to ask the Under Secretary of State for India, Whether any communication has passed between the India Office and the Governor of the Straits Settlement and the other Indian Officers there as to their removal from their posts by the Secretary for the Colonies; and, if so, what was its date, and whether subsequent to the publication in the newspapers of the appointment of their successors by the Secretary for the Colonies?

SIR JAMES FERGUSSON said, that the Secretary of State for India took the earliest opportunity of communicating to the Governor General of India, and to the Governor of the Straits Settlements, the intentions of the Colonial Office. He did not wait for the official intimation of the intentions of the Colonial Office; but on the 18th of January he privately ascertained the course which the Colonial Secretary was likely to pursue. He communicated on the same day to the Governor General that the Governor of the Straits Settlements would not be continued in his office, but that a member of the Colonial Staff would be appointed in his place. He received further information on the 29th of January, and he sent at once a confirmation of his previous despatch. The appointment of the new Governor was gazetted on the 5th of February.

ARMY ESTIMATES.—QUESTION.

CAPTAIN VIVIAN said, he wished to know, When it was the intention of the Government to proceed with the Army Estimates and the Supplementary Estimates?

THE CHANCELLOR OF THE EXCHEQUER said, that his right hon. Friend the Secretary of State for War would not be in his place on Friday, but that a Vote on account would be taken on that evening to enable hon. Members to proceed with their Questions.

IRELAND—MARTIAL LAW.

QUESTION.

THE O'DONOGHUE: Sir, a rumour having reached me this morning which caused me great alarm, but which, I hope, is not true, I deemed it my duty, early this morning, to give the Secretary of State for the Home Department notice of the following Question:—

> "As it is rumoured that the Irish Government intend to proclaim Martial Law, to explain fully to the House the nature and effect of the increased powers which the Proclamation of Martial Law will place in the hands of the authorities, Civil and Military?"

MR. WALPOLE: In answer, Sir, to the Question of the hon. Gentleman, I have to state that there is no intention at present, and I hope, on the part of the Government, there will be no necessity to proclaim martial law in Ireland. Should any occasion occur for it, the House will be informed of any powers which the Government may think it right to ask for that purpose. As to the necessity of proclaiming martial law, the accounts which I have received from Dublin yesterday and this morning are more favourable than they have been for some days; and I can state to the House that the ordinary law of the land will be had recourse to without delay. A Special Commission will be issued to bring the offenders to speedy trial. I am sure that hon. Members connected with Ireland will be gratified to hear a telegram I have received to-day, and which I know is confirmed by others. The hon. Member for Dublin has, I believe, received a similar one—

> "Messrs. Malcolmson, Brothers, state that out of 3,000 persons employed by them at Waterford, Carrick, Portlaw, and Clonmel, not one has left his work to join the insurgents."

REPRESENTATION OF THE PEOPLE—REFORM STATISTICS.—QUESTION.

MOTION FOR ADJOURNMENT.

MR. LOCKE said, he wished to inquire, Whether the Government would lay on the table the statistics referred to by the noble Viscount (Viscount Cranbourne) as having been laid before the Cabinet a fortnight since?

THE CHANCELLOR OF THE EXCHEQUER: No papers have been before the Cabinet which have not been laid on the table of the House. I believe that the House is in possession of all the information the Cabinet have. I have, however, given instructions that for the convenience of Members certain new information shall be prepared and printed, but I regret that it is not yet ready. I am unable to account for the delay, but I will make inquiry as to the reason.

MR. HORSMAN: We understood from the noble Lord the Member for Stamford (Viscount Cranbourne) that certain figures were given to him and other Members of the Cabinet on which they were to found their opinion as to the measure that was to be proposed. The noble Lord said that those figures at first sight appeared to be favourable to the proposal, but on a closer examination did not. It is desirable that the House should see what were the figures before the noble Lord and the other seceding Members of the Cabinet on which they were to come to a conclusion.

I wish to make my Question intelligible, so I will conclude with a Motion. As we are approaching very near to the time when we shall have to consider the measure of the Government, surely we ought to have before us the best information they can give us. My hon. Friend has asked for what I think we are entitled to receive—namely, the figures which were supplied to the noble Lord and his late Colleagues to enable them to judge of the real bearing and effect of the measure that was to be introduced by the Government. It is obvious that out of the information laid on the table certain figures were extracted, embodied in some form or other, and submitted to the noble Lord. It is desirable that the House also should have that information before it. I beg to move the adjournment of the House.

Motion made, and Question proposed, "That this House do now adjourn."—(*Mr. Horsman.*)

The CHANCELLOR of the EXCHEQUER: I do not think a Reform discussion would be very convenient to the House at this moment. Whatever information may come before the Cabinet shall be placed before the House. I believe, however, that in that information there is likely to be nothing very novel. At the same time, it is possible that some further information may be furnished to the House, and I undertake that it shall be in the hands of the Members very shortly.

Viscount CRANBOURNE: As I alluded to this subject on a former occasion, it is necessary, in order to make my own statement clear, that I should say that I understood, when certain figures were laid before the Cabinet, that they were figures which had been obtained from the Departments for that purpose, and that they were new. So I understood them; but, of course, in that I may have been mistaken. They were exceedingly scanty and few in number, and the investigation of which I spoke was mainly directed to comparing these figures which were sums total with the more detailed information contained in the voluminous Returns laid before the House last year.

Motion, by leave, *withdrawn.*

VALUATION OF PROPERTY BILL.

(*Mr. Hunt, Mr. Secretary Walpole, Mr. Gathorne Hardy.*)

[BILL 12.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Mr. Hunt.*)

Colonel BARTTELOT said, that while giving credit to his hon. Friend for bringing in a Bill of that nature, he could not but remember that it was no further back than 1862 that the right hon. Member for Wolverhampton (Mr. C. P. Villiers) introduced a measure to amend assessments. That measure had scarcely yet had a fair trial, and it could hardly be known yet what the result of the valuations under it was, though he believed the result was eminently satisfactory. Those valuations had been made with a care and a disinterestedness which ought to receive great consideration from that House, and if that Act were amended very slightly it would effect all that the present Bill was intended to do. Before the valuations under the Act of 1862 had been sufficiently tested by practice, was it not premature to call on the House to legislate on the subject? Those who had great experience of this matter in his part of the country universally said that this Bill was unnecessary, that it was, moreover, so complicated that it could not be carried out, and also that it was unjust to force upon them a re-valuation until the old system had been fairly tried. They went further, and maintained that until the old valuation had been fairly proved to be insufficient his hon. Friend ought not to have brought in that Bill. There were three main points in the measure which were totally different from anything they had had before. The first was the formation of a Central Valuation Board. Perhaps there might be in many counties and unions great differences as to the deductions made in these valuations; and when the Act of 1862 was under discussion he had himself urged that there should be laid down in it some definite basis for deductions as a guide in respect to all rates. The right hon. Member for Wolverhampton, however, said that could not be done, and it was not done in that Act. But, taking the country through, he believed there had been an anxious endeavour on the part of those who had to carry out that Act to arrive as far as possible at a satisfactory conclusion. When the Act came into force, in most counties a committee was appointed which went most carefully into the details of the measure, and into the subject of these deductions. And, although those committees could not, of course, by law enforce the rule as to deductions at which they arrived, yet, generally speaking, the assessment committees in each county had carried out the scale of deductions so laid down. He believed that the deductions had been fairly made, and that any necessary amendments might have easily been effected without introducing the present Act. The second novelty in this Bill was that they were to have surveyors of taxes introduced—a proposal to which great objection was entertained in the country. These surveyors of taxes were to have it in their power to revise, as it were, the valuation lists, and to say that certain things were not right, and that the rates must be raised. Those who attended appeals in respect to income tax knew that the class whose assessments were raised were the poor tradespeople, who would often rather pay than by appealing perhaps suffer damage in their credit. And if owners of property, for the benefit of their poor tenants or neighbours, consented to let cottages at the moderate rents of from £3 to £7, the surveyor of taxes might come and say the cottages ought to be put down at a great deal more, and thus one means of improvement would be checked. No doubt the surveyor of taxes might sometimes find out something that was wrong; but the odium and inconvenience that would result, would more than counterbalance all the advantage which the Treasury could derive from his appointment. The third and last novelty in the Bill was that there was to be an assessor. Now, he would ask, was it wise at this moment to incur the additional expenses which would necessarily follow the establishment of a Central Board and the appointment of assessors? This could not be done without placing on the land a heavy amount of additional taxation. Those were the grounds why he thought the Bill should not be hastily adopted. They had yet to learn that it was necessary, or that the old Bill had not worked well. If the old valuation of property throughout the country were generally incorrect he should be glad to afford what assistance he could to remedy it; but he firmly believed that it was every day becoming more developed and more accurate. He trusted, therefore, that the Government would not press on the second reading. He had heard that a Motion was to be made that it be referred to a Select Committee; and if it should be he hoped that it would return to the House so amended as to be acceptable to the country, which he did not believe it would be in its present shape.

Mr. NEATE said, that people were very apt, when a Bill affected both the landed interest and houses, to pay more than due attention to that portion which affected the landed interest. He rejoiced, however, that this Bill had been introduced, and by the introduction of Amendments in Committee he should invite the special attention of borough Members to the opportunity now presented to them for reviewing the system of taxation as between houses and land. Houses in towns were taxed half as much more highly than they ought to be when compared with the taxes imposed upon houses in the country, or with what the taxation would be upon a fair and equal taxation. Two important Returns had been moved for upon this subject, one showing what farm-houses in every county in England assessed at £20 really paid; and the other (a continuation of the Return moved for in 1863 by the hon. Member for East Surrey), showing the advance or otherwise of the assessment of land. He also wished to call the attention of the borough Members to the insufficient representation of boroughs in county Boards. Every union in a county was to have two delegates sitting on the county Board, while a borough was to have only one. He should give due notice of an Amendment he intended to move, in order that it might be fully discussed in Committee on the Bill.

Mr. HENLEY said, he had hardly imagined that the ingenuity of man could have contrived such a perpetual blister as this Bill must necessarily prove to be. Taxes and rates, as they all knew, were of themselves a great curse and nuisance. It was bad enough to have to pay them, and the being kept in a continual worry, in order that it might be ascertained how much they were to be, made them a ten thousand times greater curse and nuisance than they were before. The House should recollect that all valuations were but approximations to the truth, and if they strove to get to Chinese exactness they would set on foot an amount of worry which was ten thousand times worse to the people to bear, and to the recipients of the tax, than the possible good that could be got by it. What was the proposed machinery to do? There was to be a perfect revision every three years. The right hon. Gentleman opposite (Mr. Gladstone) well knew how he had been pressed, with regard to the income tax, not to have the valuations too frequently made on account of the worry and trouble they gave. It was not long since the Secretary to the Treasury broke out very strongly against the officers of the Government as to their conduct in that matter. He (Mr. Henley) differed from his hon. Friend's opinion of those gentlemen, as he believed they had done their duty conscientiously between the Crown and the subject. The Bill before the House set on foot machinery which was to commence operation in the month of May in one year, and was not to finish until the month of June in the next. Then the matters so ascertained were not to be acted upon until the year after—the third year from the time of commencing—and then there were to be supplementary valuations at the end of every year. If all that did not worry people's minds, and set them against taxes and rates, he did not know what people could be made of. There was nothing more impolitic than keeping on a perpetual blister — and this was nothing less—of worry and irritation. It was necessary, they all knew, to pay taxes, but the less people were worried the better. Let them examine the Bill. Boroughs and counties had nothing upon earth in common in what they paid, so far as rates were concerned; and yet the Valuation Board was to be composed of two delegates from every union in a county and one from every borough. He thought the one delegate sent by each borough would not be in a very happy position on such a Board. [Mr. HUNT expressed dissent.] The hon. Gentleman shook his head, but that was one of the provisions in the Bill. There was no reason why the counties and boroughs should be brought together; they had nothing in common, and it was certain that county unions were not good judges of the amount of the deductions that ought to be made in the large towns and boroughs where the property was of a different nature. Then there was a new appellate jurisdiction; but though he had a very great respect for members of the bar, and a still greater respect for them if they were of ten years' standing, he thought that neither their education nor their ten years' standing made them at all conversant of the value of property in counties in which, perhaps, they had never set a foot before. But what was to happen? Any person who appealed was to go before them —the surveyor of taxes having power to appeal as well—and then, unless the contrary was proved, whatever the surveyor of taxes alleged was to be held conclusive. Suppose the surveyor said that A ought to be charged £150 instead of £140, A, in order to disprove that, must necessarily be at the expense of bringing a surveyor or somebody of that character to disprove the assertion of the surveyor of taxes, because, of course, it would be impossible to allow a man to prove his own valuation. The assessor could know nothing of the matter himself; he would have to rely upon the evidence given before him, and in that way a hard and grievous oppression might be brought to bear upon a man. How differently the matter was now treated. The surveyor, thinking that A or B was not properly taxed, made his charge, and the case was heard before four or five different gentlemen of the county who knew something of the value of the property surrounding them. In the Bill before the House it was provided that the assessor could not decide except upon evidence before him, which must be the evidence of surveyors of some kind or other, entailing a grievous expense, and if that evidence were not produced by the words of the Bill, the assessor was to decide according to the absolute *dixit* of the surveyor. He (Mr. Henley) could not help thinking that that would be a great injustice. In another part of the appellate jurisdiction it was provided that the appellant might claim a survey; but if upon that survey a "substantial" alteration were not made in the valuation, the man who claimed the survey would have to pay for it. But what was the meaning of a "substantial" alteration? Who was to come to an agreement as to what that meant? for it was quite as open as the matter of the valuation itself. All these things made him think the proposed alteration unnecessary. During the last two or three years the country had been going through a complete revaluation, which had not been without expense, the mere fees to the clerks of unions having been very heavy. People now wished for a little quiet. The ink was only just dry upon all the papers which had been written. There had been some few cases of appeal to the sessions, but they had been settled, and people had begun to hope for rest. Here, however, was a new thing, got by taxes out of rates. It was to re-open every question, and keep up the heartburn which would never end. It would take them a year and a half to get the machinery in order, and then at the end of the third year they would have to begin again, being in a perpetual worry all the time. He did not see what advantage was to be gained; in no possible way was it in the interest of the revenue of the Crown that the alteration should be made. It seemed to be proposed from what might be called a spirit of meddling, unless there were something behind of which this Bill was only the forerunner. He did not know what the feeling of the House was upon it; but if he had been here before he should have asked his hon. Friend (Mr. Hunt) not to have brought in the Bill before the quarter sessions had been held in the various counties, in order that they might all have had the opportunity of communicating with their constituents, and have been better informed on the matter than they were now. All the communications that he had had from the country had been adverse to the Bill. The Bill was thought complex, and it was considered that it would be a great worry, trouble, expense, and hardship to have the matter gone into again. He believed the Bill contained unmixed mischief.

Lord HENLEY said, he was not sorry that the Bill had been introduced, as it might improve the position in which valuers now stood. He did not agree with it altogether, but it might be improved in one or two respects, and if it were referred to a Select Committee it might be made a very useful measure. The Valuation Boards appeared to him to have rather insignificant functions and to be somewhat cumbrous. With two members from every union in a county, in addition to the members from the boroughs, the Board might consist of from twenty to forty and even fifty members, which would form a sort of parliament in each county for the valuation of property. He had been very much disappointed in finding what were to be the duties of the Board, as the duties seemed very few, and one of them was objectionable. The first duty was that which affected the rate of reduction for the whole county in which the Board sat. That was a very simple matter, which might easily be adjusted by any committee of magistrates appointed by the quarter sessions. The Board were to organize nothing whatever as to the value of any particular tenement, but merely to take the valuation as laid before them by the different assessment committees. They ought to have more power—power to have the valuation of the whole county made by professional persons, under their own superintendence, which power might be given to them by a new clause introduced into the Bill. The exercise of such a power would be expensive, but the result would be really satisfactory and good. With respect to the Court of Appeal, he did not think a barrister of ten years' standing would be a likely man to possess good judgment in the matter he would be called upon to decide. He would have to decide on evidence on oath. But those deciding should decide on their own knowledge and judgment. He would much sooner see the quarter sessions made the Court of Appeal, for then there would be absolutely no expense—there would be no barrister's salary of £300 or £400 a year to pay. They found one parish where land was let at 30*s.* an acre, and another where it was let at three guineas, merely because in the latter case it was cut up into small portions. He thought it was therefore essential to have some one resident on the spot to value the land, who would really be able to form a correct judgment upon the matter.

Mr. CORRANCE said: Having for some years past taken much interest in the question now discussed, I am anxious to make a few remarks, and in so doing must ask the indulgence of the House. Not the less so, that these remarks must be confined to distinct and practical details deriving their interest from the importance of the subject itself. This, I think, it will be admitted to possess—as to very few this question can be a matter of unconcern. We all know what interest a debate on the income tax presents—with what satisfaction a remission of 1*d.* is received, and not unreasonably, for we all know that this comparatively small sum makes a very large difference to a very considerable class. Now, let us compare this tax with the poor rate. In this we have a tax falling upon some property as upon income—on profits—to an average amount, in agricultural counties, of 2*s.* 2½*d.* in the pound; in manufacturing, of 1*s.* 2⅔*d.*; and throughout England, of 1*s.* 2*d.*; levied also in a manner confessedly unequal and unjust. I take the admission of the late President of the Poor Law Board as to this. In a recent debate he is reported to have spoken thus—

> "In my opinion nothing can be more unfair and capricious than the charge of the poor rate. . . . I do not express that opinion for the first time. I was acting on the original Commission for the Poor Law, and I was struck during that inquiry by seeing the extraordinary unfairness in which this charge for the poor's rate fell in various parts of the country—or on different persons—and the vast number who were totally exempt from such a charge."

In this, therefore, confessedly, we have a tax most serious in amount, and falling with especial severity on property of a certain class, and claiming in such respect the particular attention of this House. It is true that this Bill does not fully open up the whole subject—that it takes cognizance only of a part; and as it is not expedient to raise collateral issues, to that part alone I shall direct my future remarks — namely, the assessment upon property as it now exists. Now, it may be asked, what necessity for revision exists? It is believed that under the Act of 1862 a great step towards the equalization of assessment took place. There is substantial ground for such belief. At the same time, it must be admitted by all who possess a practical knowledge of the operation of this Act that the improvement upon the old plan is but partial and incomplete. It is well known that the basis for valuation is by no means uniform, and that principles, altogether at variance with the terms of the Act, are commonly found to exist; and this, too, more as regards the estimated gross value than the net, concerning which much misapprehension exists. Let me say a word or two as to this. In assessment of land, let upon ordinary terms and tithe, as well as some other hereditaments of that class, no great difficulty exists. For this we have authentic documentary evidence in Income Tax Returns, Tithe Commutation, and the like. But when we assess property of another kind great latitude will be found to exist under the provisions of the Act. In houses let to profitable purposes, in offices, manufactories, and the like, the application of the principle is singularly inexact. The letable value less depends upon use, situation, and the competition of trade; so also in railways and canals, the total net profit of which is assessed as rent. Nothing can be less satisfactory than the assessment made in such respect. Then, again, under what circumstances were these assessments made in 1862? The Committee were new to their work; and it is not too much to say that two-thirds of the assessments were completed before they thoroughly understood the nature of the task. For total revision it was then too late. The lists also sent in by the parish officers were, in most cases, defective, and they themselves were incapable of the discharge of their task; while on the part of the Committee no absolute power existed to order valuations separately on the union account. This is partially remedied by the new Act; but I think that the Committee might themselves have larger powers in such respect. Now, let me afford the House an illustration of this. At the end of the first year I felt entirely dissatisfied with the work thus done, and in order to see if any common principle could be applied and worked out, I wrote to thirty-four unions to obtain the data upon which these gross values had been worked out. In more than half of these no definite plan appeared to exist, and in the remainder of instances no common agreement upon important points appeared. To reduce practice into precept no pains had been bestowed in any case, except in the rudest form, and to the worst possible common result. Let it be remembered also that these discrepancies chiefly affected the gross, most erroneously supposed to be beyond doubt. The nature of the appeals will show this. For instance, if we assessed land let for accommodation at rack rent at its actual annual value, we were told that to an exorbitant rent were added an excessive rate —a plea often admitted, though by no means sound in such a case—for it was clear that any remission we might make in such respect would, under such circumstances, only add to the possible rent. Again, that houses let to profitable purposes should be rated subject to such a supposed condition was a source of complaint, for it was here assumed that the profits of trade were thus assessed. For this assumption some ground existed, under the want of specified basis, supplied by this Act. But if we refer to previous enactments, no doubt will exist upon this point, for under the statute of William the words—*Rebus sic stantibus*, convey a clear definition; and as referring to present conditions, are imperative in that sense. By the 55th clause of the present Act all uncertainty is at once removed upon these points, and the actual rental declared to be the minimum of the assessment to a rate. This will much conduce towards uniformity of practice, and is based on a principle equal and just. The composition and construction of the Board proposed under Clause 6 deserve a few remarks. Against it has been urged the introduction of a new power over county finance, and the sanction it would seem to give to the principle of County Financial Boards. Now, against this principle it may, no doubt, with some truth be urged that it vests power in the hands of those who have no permanent interest in the expenditure of the rate; that their interest as ratepayers is only present, and after all not direct; that the landlord is, in fact, the payer of all rates. This, to a certain extent, is the case, and ought to induce some care in the provisions introduced, lest the undue preponderance of the less permanent interest place difficulties in the way of improvements of the more permanent class. In the present instance there would seem little danger of this, either as regards the function discharged, or the proportionate constitution of the Board itself. For myself, moreover, let me candidly confess that I am not opposed to the introduction of this mixed element into county finance, for I believe that under some such provision as this Act contains a very valuable business element may be introduced, tending to a more careful administration, and often a stricter regard for economy than at present exists. One word as to the Court proposed of ultimate Appeal, upon which I must beg leave to express a doubt. Heretofore and up to this time these appeals have been subject to the jurisdiction of another Court, subject to an ultimate appeal to the Queen's Bench. This power it is proposed to remove, the officer appointed being paid out of the county rate in part. From the court of quarter session a most important function is thus removed in a matter especially concerning themselves. There should be good cause for this. To me it is a matter of regret, inasmuch as I do not think that it will fully meet the concurrence of those principally concerned, and will not fail to prejudice many against the Act. I shall not, however, in this stage press my objection to this clause. Finally, let me say, that having given some time and attention to the operation of the former Act, I must think the present measure well calculated to meet most, if not all, its defects. I must express my conviction that this will be the case. One hope, however, let me entertain, that it will not be the last reform applied to this matter of the rates; that Her Majesty's Government having thus bestowed their care upon the assessment to such excellent effect, will also not fail further to consider the incidence and accidents of the rate, and the present claims of the various properties thus assessed. Let there be also equalization in such respect. At present I will say no more, lest such matter be deemed irrelevant to the issue now sought, and thanking the House for their attention, I beg to express my concurrence in the provisions of this Bill, and my intention to afford it my suppart.

MR. CHILDERS hoped that, whatever difference of opinion there might be as to the machinery, the House would agree that the objects of the Bill were good objects. The first of these objects was to make the assessment of gross estimated rental whether for Queen's taxes, county rates, poor rates, and other parochial rates the same; and the second was to adopt some means to ensure uniformity in the deductions now made from the gross estimated rental for the purpose of arriving at a rateable value for local rates. He therefore hoped the House would allow the Bill to be read a second time, and that the Government would consent to refer the Bill, after the second reading, to a Select Committee; because, however good the objects of the Bill might be, there were matters of detail, and indeed of more than detail, which to his mind were very objectionable, and which no doubt would be thrashed out in an inquiry before the Committee. The Bill proposed to erect a Valuation Board for four or five different purposes; but when one came to look into it, there appeared to be only one real duty of the Board—to render uniform the deductions from the estimated rental. At present they were not uniform. As had already been stated, even neighbouring unions embracing communities identical in character made most unequal deductions per cent, and this, too, upon the same kind of property. That was an anomaly requiring to be remedied. Most of the other duties which it was proposed to impose on the Valuation Board were very small matters, and when the deductions were once settled the Board would have but little to do, and that could be well done by other existing authorities, what he would suggest was that the House should pass those clauses which constituted the Board, and that the Board should only meet once—say next year—to settle what the deduction should be for each county. Having done this, there would be no necessity to retain them in existence, and it might be left in future to the court of quarter sessions, subject, perhaps, to the concurrence of the Poor Law Board, to make any alterations that might be requisite in the rates of deduction. The Board would thus be brought into existence for the only useful function it could perform, and having performed that function, it would be left to the ordinary authorities of the county to make any trivial amendments. This course would dispense with all the clerks, treasurers, and permanent officers who would otherwise have to be appointed, and the Bill so modified would not, he believed, be distasteful to those who would oppose it in its present form. His hon. Friend proposed to erect a new tribunal in the shape of an appellate barrister or assessor, who was to hear the appeals which were now heard, with respect to Queen's taxes, by Local Commissioners, and with respect to local rates by the quarter sessions. He believed, however, these new Courts to be altogether unnecessary. They would involve an additional number of salaried barristers, and whatever his respect for the members of that profession, he was of opinion that a quite sufficient number were already employed in the public service. If a new jurisdiction were required, the appeals might be taken to the County Courts, the Judges of which, as barristers, possessed the needful qualifications, and were not over-burdened with work. He might also add that if the Valuation Board met next year for the purpose of settling a uniform deduction from the gross estimated rental as a criterion of rateable value in each county, there would then be sufficient material to enable the House to arrive at a uniform maximum deduction for the whole country. Holding these views as to the machinery of the Bill being both cumbrous in form and extravagant in duration, while admitting the excellence of its objects, he should offer no opposition to the measure provided his hon. Friend would consent to refer it to a Select Committee.

MR. GOLDNEY said, that if the suggestion of the hon. Member were carried out, all the clauses would be struck out, and nothing left but the preamble, as had been the case with a Bill last year. Instead of going into the details of the measure, they ought rather to look at its principles. No Act was ever carried out more carefully than the Parochial Assessment Act. That measure had for three years worked very satisfactorily, and the doubt which existed as to the power of magistrates to make a county rate having only been set at rest last Session, he believed the deductions would be speedily equalized in every county. In all parts of the country assessment committees were appointed, who applied themselves to their work with the honest intention of organizing a successful basis upon which rating could be placed, and it was hardly just, after they had taken so much trouble, that they should be treated with so little consideration. The system of reductions organized by these committees would be equalized as soon as the county rating came into full operation. He hoped this Bill would not be pressed forward at so early a period of the Session. He thought that part of it relating to the appellate jurisdiction must be abandoned. The Valuation Board, even constituted with the modifications proposed by the hon. Member for Pontefract (Mr. Childers), would be bad so far as this matter was concerned. The effect of the constitution of the Board in the manner proposed by the Bill would be that a half or one-third of its members would not attend its meetings, and that the work which was done would not be done by men actually resident in the neighbourhood. In the case of the assessment committees, on the other hand, they had the advantage of the labours of men living on the spot, and knowing every inch of the ground that was to be valued. The Bill was unfair to those who had devoted a large amount of time, trouble, and experience to carry into effect the Act of the right hon. Gentleman (Mr. Villiers), and its machinery was complex. If the Bill passed, the overseers, the surveyor of taxes, the assessment committee, and the Valuation Board would all have to be called into operation before a deduction could be determined, and this was surely an exceedingly complex arrangement. Until some practical grievance was brought before the House to show that the former measure had not worked well, the present Bill ought not to be proceeded with.

MR. HENRY SEYMOUR said, this was a most invaluable Bill, and he hoped there would be no delay in passing it, although it might, perhaps, be necessary, in order to settle its details, to refer it to a Select Committee. If the valuation of the county by the committee of the ratepayers and the magistrates were struck out, one of the best provisions of the Bill would be destroyed. For the last sixteen years such an improvement in the existing law had been advocated by different Members of that House, especially by Mr. Joseph Hume, and the right hon. Gentleman (Mr. Milner Gibson). He regretted, when such a Bill as this was introduced by the Government, that hon. Gentlemen on the opposite side of the House should oppose it. If the Bill were passed, the duties imposed by it upon the committee of ratepayers and magistrates would become the nucleus of more important duties relating to highways and other county business, as those committees would be more competent to deal with financial affairs than were magistrates in county sessions, who sat as an irresponsible body to tax the ratepayers of the county. There was every reason to believe that a committee thus constituted would become important, uniting in itself the functions of Boards of Guardians and of the financial Boards of the counties; and that to such a committee taxing powers might be intrusted, which at present was impossible. The House could well deal even with the details of the Bill, without referring it to a Select Committee. It appeared objectionable to appoint any new officers, there being now county officers, whose time and position qualified them to fulfil the duties of assessor. It was a well drawn Bill, reflecting great credit on the hon. Gentleman (Mr. Hunt) who had been fortunate enough to propose it to the House. It did not supersede the Act of the right hon. Gentleman (Mr. Villiers). The principle of deductions should be settled by the Act of Parliament, since it might become the principle upon which the franchise was to be based. There would be no difficulty in dividing property into various classes, and in fixing the proportion between rating and gross estimated rental throughout the kingdom.

Sir MICHAEL HICKS-BEACH said, that while he did not fully concur in every provision of the Bill, he tendered his best thanks to the hon. Gentleman (Mr. Hunt) who had introduced it. A strong case had been made out for some amendments being made in the Union Assessment Act, and in the main the present Bill proposed to amend it in an acceptable manner. In one instance that occurred in his county a union had absolutely refused to rate itself at its proper value, and the Commissioners had been obliged to make the proper valuation, which had caused a considerable amount of ill-feeling. The Bill would lead to the assimilation of the basis of Imperial and local taxation. It would be a great benefit to the ratepayer if all his rates were based upon one uniform valuation. He did not think that the appointment of the assessor would be likely to lead to the expense that had been supposed; because, although the magistrates at quarter sessions acted gratuitously, the expenses of bringing up witnesses were very large. These expenses would be saved by the assessor holding his court at convenient places. The assessor would be paid according to the amount of work he performed, and not by yearly income; consequently, if there were no appeals, no expenses would be incurred. Upon the whole, he thought the Bill a good one, and he should give it his best support. He only wished that the Bill had gone further, and had provided one uniform scheme of deduction. The Return moved for by the hon. Member for Buckingham (Mr. Hubbard) showed that deductions were so various as to render it difficult if not impossible to carry out such a scheme; but he might say that a somewhat similar proposal had been tried successfully in Gloucestershire. He should be glad to see the duties of overseer performed by some paid officer instead of by the existing machinery. He cordially supported the Bill, and hoped that it would not be referred to a Select Committee, as he thought that its details might be settled in Committee of the whole House.

Mr. C. P. VILLIERS said, he could not join in the wish expressed by the hon. Member that this Bill should not be referred to a Select Committee, seeing that great objections had been expressed either to its principles or details by hon. Members on both sides of the House. The Bill had certainly come before the House in a hasty manner. The hon. Member for Poole (Mr. Henry Seymour) who approved it, did so for a purpose totally opposite to that of its promoters. That hon. Member was anxious to control the expenditure in counties, and he seemed to see a prospect of this Board being summoned for one purpose and ultimately used for another. He (Mr. Seymour) thought that this Board would act as a Board for controlling the county expenditure. The House need not, however, think of any ulterior purpose when they had one already before them. It was urged in favour of the Bill that it would secure the action of the ratepayers with the magistrates; but anybody who knew the habits of ratepayers generally would know that they would decline to attend unless their expenses were provided for, so that the justices would have complete control in the regulation of the assessments. The great object of the late Act was to ascertain the real value of the property which was to be rated, and that object had been attained. It might have been supposed that these unions would not agree precisely as to the amount of deduction that was to be made in order to get at the rateable value. It was, however, something to have done so much towards ascertaining the real value of the property that was to be rated as was accomplished by the Union Assessment Act. Nothing could be more astonishing—considering how much alive the public were to the subject of the taxation of property—than that people should have allowed so large a revenue to be collected in so slovenly and uncertain a manner. The result of the new assessment operation had been to bring £15,000,000 annually to charge which had escaped before. Valuation had been left to ignorant and irresponsible persons, and the consequence was that property remained either not valued at all or not re-valued for years and years together. The property of persons of influence in many cases remained rated much too low. There were instances of property which had been raised in value 400 per cent, and there were parishes which had never been re-assessed during the present century. Some persons had questioned whether that Act had worked well, and he supposed that the object of the present Bill was to make it work better. He had, however, not yet heard the hon. Member for Northamptonshire (Mr. Hunt) state in what respect that Act had not worked well. He would not say it might not be improved; but he did not think the time had come when it could be said that the Act had not worked well, or that it was necessary to have so elaborate—he would not say so cumbrous—a measure to improve it. The Act had, at all events, given general satisfaction. Complaint had been made as to the absurd way in which the assessment committees, in some particular cases, had acted. Every facility, however, was given for re-hearing and appeals when the assessment was published, and every parish throughout the union was interested in questioning the assessment of the other parishes, and even the assessment of individual ratepayers in those parishes. The assessment committee could easily be called together to re-hear any particular case. He presumed that there was no obstacle to an appeal to quarter sessions, but those appeals had been extremely few. Hon. Members said that there were people who felt themselves wronged; but there had been no disposition to appeal, and if there had been, it was not always necessary to go before the quarter sessions, since there were special sessions four times a year where cases could be heard. He might be reminded, on the other hand, of the Return procured by the hon. Member for Buckingham, showing a considerable variation in the estimate which the committees made of the deductions necessary to be allowed to get at the rateable value. He did not know how these variations could occur, because the business was so very simple. The principle of deductions was to keep the property in that state of repair which gave the ordinary value. They got the ordinary value and then made the deductions for repairs and insurance. That was not a very difficult thing, and if parishes employed a professional man, or published what they did, there ought not to be any very great variation in the assessment. The 10th clause of the present Bill professed to discover some maximum or fixed rule of deduction. He did not see why, if that were possible, it should not be the subject of a simple enactment for the purpose. If it were not possible he did not know how by a conjunction of magistrates and ratepayers—but he thought practically there would be magistrates only—it would be possible to discover it. It would always happen, sometimes from error, and sometimes from corruption, that these differences would occur. A fixed rule would often be arbitrary and unjust. The decay of one class of houses would be more rapid than of another, and it might be proper to put 20 or 25 per cent on one class and 15 per cent on another. It would thus be unjust to fix a maximum, and always make this deduction for houses and that deduction for land. The real purpose of the Bill was to discover that rule or maximum; but it did not require a great apparatus of barristers and others to discover whether that rule had been observed. He supposed there would be fifty-two barristers, one for each county. [Mr. Hunt: The assessment would be paid for by the piece.] That would not shorten the work. The purpose of the Bill was a very good one; but seeing how much danger there might be in passing it in its present shape, and how little ground had been laid for complaint against the present Act, he trusted that the hon. Gentleman (Mr. Hunt) would not scruple to refer the Bill to a Committee upstairs.

Mr. HUNT said, that the Government had shown their appreciation of the value of the machinery of the Assessment Bill, inasmuch as they had made use of it not only for the purpose of local taxation but also for purposes of Imperial taxation. His right hon. Friend the Member for Oxfordshire (Mr. Henley), whom every one in that House was, he felt assured, glad to see again in his place, had spoken of the Bill as complex, and as calculated to inflict a great deal of worry and vexation on the unfortunate ratepayers throughout the country. His right hon. Friend must, however, bear in mind that it was a measure in which it was proposed to combine three different systems of valuation in one, and that it must, therefore, necessarily consist of a considerable number of clauses. On looking through those clauses he would, at the same time, find that they formed as a whole a Bill of a much more simple character than their number would lead a person to imagine. In answer to the other objection advanced against it he must contend that, so far from tending to create worry, it would in a great measure remedy the vexation which now existed. It would sweep away a cumbrous and expensive machinery, and substitute for it something less complex and more effective. Let him, for instance, take the valuation list for the purposes of the Poor Law under the Bill of the right hon. Gentleman who had just sat down. From that list it would be found that there were two appeals—one to the local assessment committee, another by the overseers to the quarter sessions. Then as to the assessment for the poor rate there might be an appeal to the special sessions, then to the quarter sessions, and from that a case might be submitted to the Queen's Bench. Where there was no Highway Board, too, an appeal lay to the special sessions, from that to the quarter sessions, and thence to the Superior Court. In the case of church rates there was an appeal to the Ecclesiastical Court, while in that of the county rate there was an appeal in the first instance to the committee of justices appointed to fix the basis of the rate, and next to the justices at quarter sessions. With regard to the income tax, and the inhabited house duty, appeals under Schedule A and B must be made to the local Commissioners, a separate appeal being necessary in each case. It was, in fact, under the existing system possible to have upwards of twelve different appeals as to the value of the same property, and in those five cases the ultimate decisions might be at variance with each other—county rates, poor rate, highway rate, church rate, the assessment of the income tax under Schedules A and B, and the inhabited house duty. If in all these instances one assessment and one appeal were substituted for the present cumbrous machinery, how, he should like to know from his right hon. Friend, could the measure in which such a proposal was embodied fairly be characterized as one calculated to increase worry and vexation? It was intended to provide under the Bill that every overseer should make out a valuation list and send it to an assessment committee, and that that committee should deal with it as now. The Court of Appeal would not be as at present the quarter sessions, but would be altered. Much had been said as to the appointment of a Surveyor of Taxes; but he saw no reason why such an officer should not appear before an assessment committee as much as before district Commissioners. It was quite true that a Surveyor of Taxes would be a new apparition in the Boardroom of Guardians; but he would discharge there a very useful function, because, under the operation of the valuable measure of the right hon. Gentleman opposite (Mr. C. P. Villiers)—as was abundantly apparent from numbers of letters he had received—there was a want of some person directly interested in putting up everybody's assessment to the proper amount—a want which the Surveyor of Taxes would supply. The introduction of such an officer before the assessment committee would, in his opinion, tend to secure a just assessment, not only to the property tax, but also to local taxation. The next question which arose was whether anything was required to regulate the scale of deductions to be made in reducing the rateable value from the gross value. The right hon. Gentleman said he had heard no evidence that satisfied him that fault was found with the mode in which those deductions were made at present. He, however, had seen plenty of evidence on the subject. From the Returns which had been moved for by his hon. Friend the Member for Buckingham he had extracted a few of the more glaring cases furnished on the point, and when he mentioned them to the House he was sure it would be admitted that they did not bear out the view which the right hon. Gentleman seemed to entertain. In the county of Bedford, for instance, he found that there were the following variations in the percentages of deductions:—Land, 5 per cent the highest scale, 1 per cent the lowest; houses under £8, highest scale 30 per cent, lowest 10 per cent; houses at and above £15, highest scale 20, lowest 10. The county of Bedford was, however, not singular in regard to the variation in the scale of those deductions. In Gloucester he found the scale to be as follows:—Land, highest 10, lowest 5 per cent; land with buildings, highest 20, lowest 10; houses under £8, maximum 25, minimum 10 per cent; houses at and above £15, maximum 20, minimum 10. Again, in Lancashire, in the case of houses under £8, the maximum was 33, the minimum 15 per cent; houses at and above £15, maximum 33, minimum 10. He might go through many other counties to show his right hon. Friend the Member for Oxfordshire (Mr. Henley) that improvement was required with regard to the scale of deductions. In his right hon. Friend's own county, which he fully expected would be a model in that respect, he found that the deductions ranged from 10 to 1 per cent in the case of land in some unions, while in the case of houses under £8 the variation was from 35 to 10. Under such circumstances, he thought it was desirable that some greater degree of uniformity in the matter of deduction should, if possible, be established. To lay down in an Act of Parliament a uniform scale would, no doubt, be a very simple mode of meeting the difficulty; but to such a proposal he did not think the House would assent. The Government had therefore adopted what he conceived to be the best plan to secure uniformity ultimately by taking certain distinct areas. Some comments had been made with regard to the Valuation Board; but that was the very body which, in a great many counties, started into life when the Union Assessments Act came into force. The delegates from counties met to pass resolutions, and to fix a scale of deductions; but when they sent them down to the different unions, nearly every one of those unions refused to abide by the decision thus arrived at. It was therefore felt that they should be by legislation obliged to act upon the scale to which the delegates might agree. The present Bill attempted to attain that object. His hon. Friend the Member for Pontefract (Mr. Childers) seemed to be of opinion that the Valuation Board would be a large machinery created for a very small purpose. It would, no doubt, be open to that criticism in as far as it would consist of a great number of members; but it was absolutely necessary that such should be the case, because it ought to represent all parts of the county, otherwise there would not be so ready an acquiescence in its decisions. He did not, however, think that it would be an expensive Board. He did not propose that the members should be paid; nor did he believe their meetings need be very frequent. There would, however, be a treasurer and a clerk, but of those it would be found in reality necessary to pay only one. The pay of the clerk would be small; and the whole expense of the Valuation Board would be so trifling as to be hardly worth taking into account, considering that they would get rid of a great deal of costly machinery and costly appeals. It was said that the Board might meet once, and then be swept away; but if a Board laid down a scale of deductions, there must be somebody to see that it was properly carried out; and who so fit for that purpose as the Board which laid down that scale of deductions? The process would be this. The Board would employ their clerk or an accountant to go through the list and see that their instructions had been carried out. They would then have a meeting, at which they would go *pro formâ* through the list, with the remarks of the clerk attached, and then affix their seal, whereby the valuation list would come into force. With regard to the Appellate Court, it must be remembered that at present there were different courts of appeal for different subjects. There were the District Commissioners with regard to Schedules A and B, and the county magistrates in quarter sessions as to the Union Assessment Committee, and some other local matters. It was no doubt difficult to find out what was a good Court of Appeal; but he had no hesitation in saying that the court of quarter sessions was not a good Court of Appeal for that purpose. He believed that most courts of quarter sessions would be exceedingly glad to be relieved of that jurisdiction. A court of quarter sessions was a fluctuating body, and if the appeal was a long one it would not be heard throughout by the same persons. An appeal to quarter sessions was also expensive. The witnesses had to be brought up to the county town; the parties had to appear by attorneys and counsel, whose fees had to be paid; and there were also hotel expenses to be incurred. In fact, they had a most cumbrous and costly mode of appeal, and when all was done they had not a very satisfactory court. His right hon. Friend the Member for Oxfordshire said they, at all events, had some persons there who knew something about the matter; but, for his own part, he was not sure that was an advantage. [MR. HENLEY: I spoke of the Commissioners.] Then, he had misunderstood his right hon. Friend; but there was this to be said about courts of quarter sessions—though that they might know more about the matter than the barrister who might be sent down, yet magistrates were but human beings, and they might sometimes know too much. When cases affecting property in which they were interested came before them, it was not impossible they might have a bias. He believed that courts of quarter sessions endeavoured to do their duty as fairly and as conscientiously as could be done; but when cases of that kind came before them, even where they had not a bias, they might be suspected of having one. The Bill proposed to substitute a barrister of ten years' standing for the court of quarter sessions; by that means, though he might have no personal knowledge on the subject, if they obtained a man of judicial mind to deal with these questions, they might expect to have more satisfactory decisions. As to the expense connected with having these assessors, it was not intended that they should be regular salaried officers, but that they should be remunerated for their services from time to time as those services might be required. If the Bill passed, they did not expect to have many appeals. They believed that the decision of the assessment committee would be accepted as final in almost every instance; but still, they must have some Court of Appeal, and the chairman of the Valuation Board would have the power of selecting a competent man with the consent of the Treasury. He did not say that that Appellate Court was the best that might be devised. It had been suggested that a County Court Judge should try these appeals; but a County Court Judge was only a barrister appointed in a different way, and he generally had some interest in property in some part of the county. Moreover, if he had these extra duties thrown upon him, they must give him some addition to his salary, which would involve considerable expense. However, the question as to the appointment of the court of appeal was not one of principle, but of detail. Indeed, many of the questions raised that evening were questions of detail. In the case of a Bill of that sort it was impossible that everything could be considered before it was introduced; and the Government were much indebted to many hon. Gentlemen for the suggestions they had made. He agreed with the recommendation which had come from the front Bench opposite, that it would be proper to refer the Bill to a Select Committee; and he hoped that those hon. Members who took an interest in that subject would be kind enough to serve on the Committee, from whose labours, he trusted a sound and valuable measure would emanate. If the second reading were assented to, he would take an early opportunity of nominating the Select Committee.

COLONEL GILPIN said, he wished to state what had taken place in the county of Bedford on this matter. Before it was attempted to carry into effect the Act passed by the late Government, a Committee was appointed composed of gentlemen from each union in the county, in order, as far as they could, to arrange what should be the basis of deductions. Upon the basis so arranged they had acted as closely as they could; but if a Bill with the cumbrous machinery of the present one were passed, they could never get at the absolute value, but only at the approximate value, in a parish. What they complained of was, that having acted upon the existing Act, of which they had yet had but little experience, and having arranged their unions, and there being few appeals, a measure like this was now brought in to upset all that they had done and put them to increased expense. The proposal to appoint barristers did not appear acceptable to the House. It did not seem to him to be necessary to call in the Surveyor of Taxes to make the local committees honest. He knew the case of a landlord in his own county, who let his estates below their value, and when the tenants were warned by the Surveyor of Taxes that the land was underlet, rather than have a re-valuation made they paid the difference. The officers of the revenue department, he thought, interfered too much already in the counties. He was glad that the Bill was to be referred to a Select Committee, though he had the greatest doubts whether it could be converted into an acceptable measure.

Mr. READ said, with reference to a remark that had been made as to nobody who was not a justice being likely to attend at a Valuation Board, that the cattle plague committees of different counties were chiefly composed of the justices and the principal ratepayers, and he believed that the ratepayers were just as attentive and assiduous in discharging their duties as the justices. A great deal had been said in that debate about the variety in the deductions made from the gross estimated rental in getting at the rateable value; but nothing had been said about the way in which the gross estimated rental was at present ascertained. He believed that that was just as irregular as the other. If any one asked him which was the better criterion of value, he would not hesitate to say, notwithstanding all the variety exhibited in the deductions quoted by the Secretary to the Treasury (Mr. Hunt), that rating was much better than rental.

Motion *agreed to.*

Bill read a second time, and *committed* to a Select Committee.

And, on Wednesday, March 18, Select Committee *nominated,* as follows:—Mr. Hunt, Mr. Gathorne Hardy, Mr. Villiers, Mr. Childers, Mr. Poulett Scrope, Colonel Barttelot, Sir Michael Hicks-Beach, Mr. Wentworth Beaumont, Mr. Hubbard, Mr. Goldney, Mr. Portman, Mr. Neate, Mr. Leeman, Mr. Read, Mr. Corrance, Mr. Graves, Colonel Dyott, Mr. Wilbraham Egerton, Mr. Hibbert, Mr. Dunlop, and Mr. Dent:—Five to be the quorum.

METROPOLITAN POOR (*re-committed*) BILL.

(*Mr. Gathorne Hardy, Mr. Earle.*)

[Bill 66.] COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 31 (Charges for Maintenance.)

Earl GROSVENOR proposed an Amendment for the purpose of requiring that the expense of the additional buildings to be erected under the Bill should be ultimately defrayed out of the common fund.

Mr. GATHORNE HARDY said, the Amendment could be more appropriately discussed when later clauses having some relation to the question of the expense of the new buildings came before the Committee.

Amendment *withdrawn.*

Clause *agreed to.*

Clauses 32 to 37, inclusive, *agreed to.*

Clause 38 (Building for Dispensary.)

Mr. Alderman LUSK said, he wished to ask, what was the meaning of the term, "Poor Law Board," and also of the term, "by order?"

Mr. GATHORNE HARDY said, that the President of the Poor Law Board was joined in the Commission with others, who signed the general orders affecting parishes and unions. Three of them, at least, had to sign. Orders were in two forms, common orders being signed by the President and countersigned by the Secretary; whilst, as he had said, there were some which must be signed by three of the Commissioners. He, as President of the Poor Law Board, was responsible for everything done.

Clause *agreed to.*

Clause 39 *agreed to.*

Clause 40 (Election of Committee.)

Earl GROSVENOR proposed an Amendment with reference to the nomination of a portion of the Boards of Guardians.

After discussion, Earl Grosvenor said he would withdraw the Amendment, on the understanding that the question raised by it should be dealt with on the bringing up of the Report.

Clause *agreed to.*

Clause 41 (Number, Qualifications, &c., of Committee.)

Mr. Alderman LUSK said, he moved the omission of the word "Qualifications." He objected to the Poor Law Board, or, in other words, one individual, having the power to decide on the qualification of a guardian.

Mr. GATHORNE HARDY said, he thought it was immaterial whether the words were retained or omitted, because the qualifications of guardians had been to a certain extent defined by a preceding clause.

Mr. C. P. VILLIERS said, he did not see why the hon. Member should object to what would require a guardian to be properly qualified.

Mr. AYRTON said, as a definition had already been given of the word "Qualifications," it was unnecessary in this clause.

Amendment *negatived.*

Clause *agreed to.*

Clause 42 *agreed to.*

Clause 43 (Appointment of Dispensers, &c.)

Mr. VANDERBYL:—I have already expressed my approval of this Bill; but while I admire the sagacity with which the numerous conflicting interests have been adjusted, I cannot allow what I consider a serious omission to pass unnoticed. In Clause 43, now before us, it is stated that the dispensary committee shall appoint "proper persons" to be the dispensers of medicine, &c. Now, it seems to me that a non-professional committee is scarcely competent to decide upon the qualifications of a dispenser. An applicant for the appointment might be a very proper person in their eyes, and still be greatly deficient in his knowledge of pharmacy. Not long ago the managers of the Bedford Infirmary appointed as a "proper person" to fill the office of dispenser a lad sixteen years of age, son of one of the nurses. This boy nearly poisoned several patients, and made so many blunders that the appointment had to be cancelled. This case is fully reported in *The Bedford Times* of 22nd January last, but I will not trouble the House with the details. I am happy to say that in the majority of our metropolitan hospitals such an appointment could not have been made, as all our best hospitals now require their dispensers to be duly certified as competent under the provisions of the Pharmacy Act of 1852. The army medical department also requires that its dispensers shall be duly qualified by certificate; and I can see no reason why the sick poor should not be protected in a similar way. I notice that the hon. Member for Bedfordshire (Mr. H. Russell) has an Amendment on the paper similar to mine, but in different words. I am unwilling, however, to restrict the choice of the managers, and I would therefore move that the words "proper persons" be omitted, and the following words inserted in their place:—

"Persons on the medical register, or duly certified as competent under the provisions of the Pharmacy Act of 1852, or the Apothecaries Act of 1815."

Mr. GATHORNE HARDY said, he was as fully impressed as was the hon. Member with the importance of appointing only properly qualified men to the office of dispensers. Instead of the hon. Member's Amendment, however, he thought it would be better by inserting the word "Qualifications" a little lower down in the clause, to bring that subject under the cognizance and supervision of the Poor Law Board.

Mr. BRADY said, he should support the proposal made by the right hon. Gentleman the President of the Poor Law Board.

Mr. GILPIN said, he thought that the object which the hon. Member for Bridgwater sought to attain would be secured by the proposal of the right hon. Gentleman.

Mr. THOMAS CAVE said, he should support the Amendment of the hon. Member for Bridgwater, because he thought that such an opportunity of giving the pharmaceutical chymists of England that status to which from their education they were entitled, and which they found no difficulty in obtaining on the Continent, ought not to be lost.

Sir JOHN SIMEON said, that their object was not to establish the status of any particular class, but merely to provide a good safeguard, and that he believed would be attained by the proposal of the right hon. Gentleman the President of the Poor Law Board.

Mr. VANDERBYL could not see why the suffering poor should be treated with less consideration than soldiers; a qualification similar to that which he proposed being insisted upon in dispensers of army hospitals.

Mr. BRADY said, he was authorized by the gentlemen who were chiefly concerned in the question to state that they were satisfied with the proposal of the Government.

Sir HARRY VERNEY said, the Committee wanted to satisfy, not the chemists, but the poor.

Amendment *negatived.*

On Motion of Mr. Gathorne Hardy, the word "Qualifications" *inserted.*

Clause, as amended, *agreed to.*

Clause 44 (Provision and Dispensing of Medicines, &c.)

Mr. Alderman LUSK said, he moved the omission of the words "in receipt of relief," the effect of which would be that medicine and medical assistance might be claimed by the poor indiscriminately if they required them.

Mr. Alderman LAWRENCE said, he hoped the clause would be rendered more clear. Undoubtedly parties should receive medical relief from the parish doctors or dispensaries without being in the receipt of other relief from the parish.

Mr. GATHORNE HARDY said, the clause merely provided that those coming to the dispensaries as paupers were to have medicines dispensed to them on prescription.

Mr. NEATE said, that there were persons who only required medical relief.

Mr. GATHORNE HARDY said, that if they received medical aid they would be paupers.

Mr. Alderman LUSK said, he hoped the Committee would not do its charity by halves.

Mr. GATHORNE HARDY said, there were plenty of dispensaries where medical assistance could be obtained without rendering the recipients paupers.

Mr. Alderman LUSK said, he would suggest that the words "such of the poor as require relief" should be substituted for "in receipt of relief."

Mr. C. P. VILLIERS said, that what the persons would receive was medical relief, and when they received medical relief they were paupers to all intents and purposes.

Lord EDWARD HOWARD said, that they should agree to give medical relief to persons who were not in a position to pay for medical advice, without making them paupers or causing their homes to be broken up to go into the house. The consequences arising from the illness of the head of a family might be cut short in the beginning by receiving medical relief, and the parish money might thus be saved by rendering it unnecessary to receive, not only the father, but the rest of the family into the house.

Mr. BRADY said, they should give medical relief in the most unexceptionable manner they possibly could. He should support the Amendment by analogy to the Medical Charities Act of Ireland.

Mr. GATHORNE HARDY said, that the case of Ireland was altogether different from that of England, inasmuch as an Irish medical man would not undertake the care of any patient with a first fee of less than a guinea. He would endeavour to meet the views of the hon. Gentlemen opposite by substituting the words "entitled to relief" for "receipt of relief."

Mr. NEATE said, he had thought of proposing that alteration, but on further consideration he was afraid it would increase the difficulty.

Mr. GATHORNE HARDY moved the insertion of the words "entitled to," instead of "in receipt of."

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 45 (Appointment of District Medical Officers.)

Mr. J. STUART MILL said, he had ventured on a former clause to make some suggestions which had been received very courteously, and he was now going to make two other suggestions, which were not new, but had been frequently made by, perhaps, the highest authority on the subject, Mr. Chadwick, the only surviving member of the Royal Commission which drew up the Poor Law. That Commission was one of the most enlightened and able that ever sat, and so long ago as 1834 proposed principles on the subject of education, which, Parliament being afraid of doing too many good deeds at once, left for adoption by generations to come. He regretted Mr. Chadwick was not himself a Member of that House; there was scarcely any one whose services would be more valuable on many points of administrative improvement. The first suggestion he had to offer was this—if they wished the poor to be effectually taken care of, the medical officers appointed should not be in private practice. It was not to be expected in the ordinary run of human affairs that public duty would not be neglected for private practice. It was eminently honourable to the profession that public duties were so well attended to as they were; but medical officers should be under no temptation to postpone their public duties to private practice. Could any one suppose that in a time of epidemic and disorder, when their services would be most required by the poor, that they would not be under the temptation of postponing their public duties for their private practice? One had heard of people advertising for perfection in a schoolmaster for £40 a year, which they were just as likely to get as a Board of Guardians were likely to get a competent medical officer for £100 a year. The other point was as to the mode of the appointment of the medical officers. He thought we might well adopt the practice of the hospitals of Paris, which were the best managed in Europe, where the medical officers were appointed by a medical board after examination; and he would suggest whether it would not be in the power of the College of Physicians and the College of Surgeons, in combination with the Civil Service Commissioners, to have a system of competitive examinations in order to test the capacity of those medical officers who were appointed. It was clear that the House was not at present prepared to adopt this suggestion; but he laid it before the House and the right hon. Gentleman, in the hope that it might be taken into consideration on some future occasion. He did not move any Amendment on the subject.

Mr. GATHORNE HARDY said, he did not think that in the country it would be possible to get men to take the duty if they were prohibited from having a private practice as well. In the metropolis they had been obliged to give up all private practice in certain cases, where sufficient employment was given to them in connection with the Poor Law. Some instances had come under his notice where medical men having very urgent cases in connection with the Poor Law Board had not given them that preference which they ought to have done, considering that they were receiving a regular salary for their services to the poor. At the same time, he was bound to remark that in these cases the salaries were so small that the medical officers could not be much blamed for endeavouring to get money from other sources. The second suggestion of the hon. Member was one which opened up a large question, and which, therefore, he could not discuss on this Bill. He had had no experience of competitive examination of medical men, and did not believe it had ever been tried in this country. He could not say that he should be prepared to give his adhesion to such a system. It would lessen the responsibility of those appointing these officers. Under the existing system, if complaints were made to the Poor Law Board, they were always attended to, and rigorous measures were taken in cases where these had been neglected. In his opinion the present checks were sufficient.

Mr. BRADY said, he was surprised that the hon. Member for Westminster, who was so well informed on subjects in general, should venture to speak on this subject, on which he had no information whatever. The hon. Member ought to visit Westminster Hospital, Guy's, and St. Bartholomew's, where he would find the most eminent men in the profession attending without receiving one penny of salary. If they were to adopt the hon. Member's suggestion and not allow private practice they would only get young men fresh from the schools to accept the appointment of medical officers, men who had no experience whatever, and who would as soon as they had obtained the requisite experience throw up their situations and resort to private practice. As to competitive examination, the hon. Member did not seem to be aware that all physicians, and, still more, all surgeons, passed through an examination as severe as that of any other in the kingdom.

Mr. J. STUART MILL said, that as the suggestion which he ventured to make was an administrative, not a medical, suggestion, he did not see why he should be prevented from making it, though he was not a medical man. As to the question of remuneration, he had said before what he now repeated, that if his suggestions were agreed to, the remuneration to medical officers must be considerably raised. Whatever money was spent in this direction was most usefully employed, because they ought to have the best medical assistance that could be obtained for the poor.

Clause *agreed to.*

Clauses 46 to 48, inclusive, *agreed to.*

Clause 49 (Addition of nominated members to District Board.)

Sir T. F. BUXTON said, he wished to move the omission of certain words in this clause which authorized the Poor Law Board to nominate to be members of the district Board such persons as they might think fit—

> "From among Justices of the Peace for any county or place resident in the district of the school, or from among ratepayers resident in that district, and assessed to the poor rate therein on an annual rateable value of not less than forty pounds, or partly from one and partly from the other."

Their duties would be of no easy kind, as they would have to visit the workhouses, and to visit the schools, which were often, and ought to be always, out of London. Now, the nominated guardians were to be either justices of the peace or £40 ratepayers. As to the first of these, he remarked that justices of the peace were very rare in the North and East of London, and it might as well be recommended to nominate the Lord Chancellor. As to the £40 ratepayers, no doubt they could be had; but they could only give their services in the evening, being busily engaged in their various occupations through the day. The care of the schools would, therefore, devolve upon the clergy, who were already overworked. He objected to the choice of the Poor Law Board being thus restricted to classes of persons who did not reside in the poorer quarters of London, and thought it would be preferable for the Poor Law Board to exercise their own discretion in selecting persons to be members of the district Boards. He therefore proposed that the clause should be amended by striking out the qualification required for members of the district Boards.

MR. HIBBERT said, he objected altogether to the principle of the clause, which placed too much power in the hands of the President of the Poor Law Board. He objected to the principle of nominated members altogether, but he thought they ought either to adhere to the elective or nominative principle, and not attempt to mix up the two.

MR. AYRTON said, that the clause was drawn up in accordance with the principle that had regulated the Poor Law ever since the time of Queen Elizabeth. He hoped that the clause would be agreed to as it stood originally.

MR. ALDERMAN LUSK said, that a large number of the principal metropolitan schools were removed from London to the country, and he objected to the nominated members of the Boards of management being taken entirely from the districts in which the schools were situated. They had abandoned a great constitutional principle by giving up even one-third of the members to be nominated by the Government. He would support the clause, because he did not like the nominative system, and these qualifications imposed at least some restrictions on the powers of the Poor Law Board.

Amendment *negatived.*

Clause *ordered* to stand part of the Bill.

Clauses 50 to 54, inclusive, *agreed to.*

Clause 55 (Basis of Contributions.)

MR. ALDERMAN LAWRENCE said, that the rateable value of the metropolis was £14,700,000. This was spread over thirty-nine unions and parishes; of which fifteen unions had been re-assessed under the Union Assessment Act, leaving twenty-four of the wealthiest parishes which had not been so re-assessed. The latter included Kensington, Paddington, Chelsea, St. George's, Hanover Square, St. Margaret's, and St. John's, Westminster, St. Martin's-in-the-Fields, and St. James,' Westminster. If those parishes were fairly re-assessed the estimated total rental of them would be much greater than the sum at which it now stood. The time of their original assessment went back almost beyond the memory of man. Hence they escaped their due share of the public burdens. The same was the case with the nine great parishes and unions of the West of London, with a rental of £3,500,000, of which only one—that of Fulham — had been re-assessed. He thought the Bill should contain a clause providing that every parish which had not been re-assessed under the new Assessment Act should be forthwith re-assessed. It was only due to the poorer districts, and those which had fairly carried out the Assessment Act, to place the rating on a uniform basis. Every one must have expected that such a union as that of Poplar would have got some pecuniary advantage by this Bill; but the fact was that Poplar would have to pay £2,332 in addition to its present amount. He could only account for this by the fact that the union was one of those which had been re-assessed. The City of London did not object to paying its full share towards the maintenance of the poor of the metropolis; but his constituents did think that, with a view to equal justice for all, every union and parish should be re-assessed on the same plan.

MR. AYRTON said, that several parishes in the metropolis were rated higher for county purposes than they were for parochial. St. George's, Hanover Square, was rated to the amount of £200,000 more for the former than for the latter. The clause provided that the sums to be paid by unions and parishes under this Act should be constituted on the rateable value according to the valuation lists, or where there were none—

> "According to the latest poor rate for the time being for the union or parish, or otherwise as the Poor Law Board from time to time direct."

If those latter words were sufficient to enable the Poor Law Board to adopt the valuation for the county rate when it was the higher one, he had no objection to make; but if not he thought words should be inserted to provide that the higher of the two valuations should be the one adopted.

Mr. GATHORNE HARDY said, that this was the meaning of the words in question.

Mr. HARVEY LEWIS said, he objected to those words, because he considered that they conferred upon the Poor Law Board an almost autocratic power, far beyond what could be advantageously intrusted to them. In approaching the words "equality of assessment," it was unjust that in some parishes there should be such diversity as from 50 to 75 per cent, and at rack-rent. He should move in the place of the words "or on such other basis as the Poor Law Board may from time to time direct," to insert words to the effect that the assessment should be made "upon the estimate or basis on which the county rate is assessed."

Mr. GOSCHEN said, he wished to ask what construction was intended to be conveyed by the phrase "or on such other basis as the Poor Law Board may from time to time direct?"

Mr. GATHORNE HARDY said, that the words in question were introduced by him into the clause for the very purpose of meeting the difficulty which had been pointed out by hon. Gentlemen. It was, beyond all question, unfair that in some parts of the metropolis the assessment should be made upon the poor rate, in others upon the county rate; in some cases on a recent, in others upon a very ancient, assessment. The phrase was expressly intended to remedy the inequality in the assessments, by giving the Board jurisdiction as arbitrator between different unions. It would not be fair that the City of London and other unions which had gone to the expense and trouble of new assessments should be more heavily taxed than parishes where nothing had been done in the matter for many years. He wished to give the Poor Law Board the power of determining the best assessment for particular parishes and unions. He was happy to hear that the City of London was willing to bear further burdens, and thought this showed a very proper spirit, especially as the City had recently claimed 700,000 persons who did not sleep, though many of them doubtless were employed, within its limits. He proposed by these words to give the Poor Law Board power to deal with these inequalities in the same manner as they were dealt with in the case of the police rate. The House would remember that when he introduced the Bill he intimated his intention—which he hoped to carry out at no great distance of time—to bring in a Bill for the uniform rating of the whole metropolis, so that the present provision was, to a certain extent, one of a temporary character.

Mr. C. P. VILLIERS said, that the parishes had secured the exemptions which had been referred to, because they had united at the time of the Act and threatened to combine against and have it rejected if their exemptions were not respected. They could not, however, maintain those exemptions (conferring the power of fixing the basis for assessment) except under their Local Acts, and unless he was mistaken one of the provisions of this Bill was to do away with those Local Acts, which would make them at once subject to the Union Assessment Act.

Mr. LOCKE said, he objected to the words in the clause referring to the Poor Law Board, and suggested the insertion of other words, which would enable them to fix the assessment on the basis either of the poor rate or of the county rate. He suggested that the word "otherwise" should be left out, and the words "or on such other basis as the Poor Law Board may direct," introduced.

Mr. GATHORNE HARDY said, he would have no objection to that.

Mr. GOSCHEN said, he would suggest the introduction of a clause compelling a re-assessment in the parishes where it had not yet been made.

Mr. GATHORNE HARDY said, he agreed with the right hon. Gentleman (Mr. C. P. Villiers), that when the Local Acts of the parishes were got rid of they could be dealt with; but he did not think that it would be advisable to introduce a clause in the present Bill compelling re-assessment in those parishes.

Mr. GILPIN said, he thought the suggestion of the hon. and learned Member for Southwark (Mr. Locke) would get rid of the difficulty.

Mr. THOMAS CHAMBERS said, he

objected to the discretion proposed to the Poor Law Board.

MR. ALDERMAN LAWRENCE said, he thought the county rating was less to be relied on than any other.

Clause, as amended, *agreed to.*

Clauses 56 to 58, inclusive, *agreed to.*

Clause 59 (Determination or Variation of Contracts with Workhouse Medical Officers.)

MR. NEATE said, he wished to ask what was to be the basis of compensation in cases where, for instance, the Board might appoint a resident medical officer in place of an outdoor medical attendant?

MR. J. STUART MILL said, the clause, as he understood it, would empower the Poor Law Board to dismiss the officers of any Poor Law district, on grant of compensation at their discretion, though those gentlemen had hitherto held office for life, except in case of misconduct. Whatever the confidence which those officers felt in the right hon. Gentleman (Mr. Gathorne Hardy), they did not like to be in the power absolutely of an unlimited line of his successors. They would accordingly be very glad if the right hon. Gentleman would either sanction an appeal or a reference to arbitration, so that they might not be at the mercy or discretion of a single officer.

MR. GATHORNE HARDY said, it would obviously be necessary, in case great changes took place under this Bill, to have the power of dealing with gentlemen already in possession of office and emoluments. Many medical men had distinct contracts, and in their cases compensation must, of course, be calculated according to the terms of their contracts. Many of them, however, who were in the enjoyment of private practice would, of course, be unwilling to take the position of resident medical officer, or to continue as superintendent medical officers, to the asylum or workhouse infirmary, and this clause had been drawn with the simple object of doing them justice. For what the hon. Member had been good enough to say of him he felt obliged, but he trusted that any one hereafter occupying the same official position would be equally ready and anxious to do justice; remembering also that for every act his successors would be responsible to that House. Had any hon. Member suggested that the Poor Law Board should be relieved of this responsibility he should have been most willing to entertain the suggestion; but the Bill had now been a considerable time before the House and the public, no such Amendment had been suggested, and he therefore felt bound to accept the responsibility. He was quite sure that, with the assistance which any hon. Member at the Poor Law Board could command, there would be no difficulty in arriving at a right decision.

MR. BRADY said, he believed that the introduction of the system now proposed would deteriorate the class of medical attendants.

MR. AYRTON said, that those who wished to elevate the medical profession placed their claims too high. If a doctor joined a union, and reserved the right of going away when he pleased, it was too much for him to say that he held an office for life, and ought not to be removed without compensation. If a man claimed an office for life he ought to be liable to serve for life. The right hon. Gentleman in inserting this clause in the Bill only followed the precedent laid down in all other cases where a reform was sought to be effected, and it was necessary to remove certain officers.

MR. BRADY said, that instead of claiming for life, a large proportion of the medical officers were in the position of tenants-at-will. Their duties were performed in a most trustworthy manner, and their claims ought to be taken into consideration.

SIR HARRY VERNEY said, he wished to ask whether the right hon. Gentleman would have any objection to make the decision of the Poor Law Board communicable by "general order?"

MR. GATHORNE HARDY said, that no order could be made without instructions from the person properly responsible at the Poor Law Board—that was the President—and it did not carry the matter any further if the papers were sent round in a box for the signature of the President's colleagues. As soon as they saw his signature there, they added theirs as a matter of course, and there was an end of the matter. Last year he appealed to the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone) as having signed a particular order some years ago, but he shook his head, saying it was very likely, but that he knew nothing of it.

MR. GILPIN said, that the claims of medical officers were sufficiently met by the provision for compensation. One part of the clause had attracted considerable attention out of doors, and that was whether in the appointment of resident medical officers, the oversight of the first-class medical outdoor officers would be dispensed with. He trusted that no such practice would be introduced.

Mr. GATHORNE HARDY said, it was intended that the resident medical officer should not be one of the highest class, but capable of attending cases as they came in. The infirmaries would still be under the supervision of one having the highest professional knowledge; in fact, it was intended to copy the plan pursued in hospitals.

Mr. C. P. VILLIERS said, he thought there was a great distinction between a general order and a simple order. If the former were signed by three Cabinet Ministers who knew nothing of its contents, they must repose great confidence in those who drew it up. Though the powers given by the Bill were very useful, they were very great, and some of them remarkable. There were powers for buying land, for taking buildings, for selling houses, and for giving compensation, all to be executed by the simple order of the President who represented the Poor Law Board. If there was a mode of making the President's act more solemn than the mere signing of his name, he thought that mode ought to be adopted. Every order should be very carefully considered before three Cabinet Ministers were called upon to sign it. He thought the suggestion of his hon. Friend (Sir Harry Verney) a very useful one.

Mr. GATHORNE HARDY said, that to adopt the suggestion of the hon. Baronet with respect to the dismissal of an officer, would be introducing quite a novelty. At the present moment an officer was dismissed on an order signed by the President of the Board. He had not had much experience in general orders; but in signing orders as the President of the Poor Law Board, he had always felt most deeply the responsibility resting upon him, and had always studied the papers on any particular matter very carefully before giving directions for the preparation of an order upon it. He thought the responsibility of the President, who was the responsible officer so far as the House of Commons was concerned, was sufficient in these matters.

Clause *agreed to.*

Clauses 60 to 62, inclusive, *agreed to.*

Mr. Gilpin

Clause 63 (Account at Bank of England.)

Mr. GATHORNE HARDY said, the representatives of the Bank thought its wording disrespectful to them; accordingly he moved that the clause should be altered, so as to require the Receiver to open an account with the Governor and Company of the Bank of England.

Amendment *agreed to.*

Clause, as amended, *ordered* to stand part of the Bill.

Clause 64 *agreed to.*

Clause 65 (Collection of Common Fund.)

Mr. Alderman LAWRENCE said, it appeared that under this clause the Poor Law Board could, under their seal, make the various parishes pay up their contributions. He took it to be the intention of the right hon. Gentleman (Mr. Gathorne Hardy), that the unions or parishes should pay the whole amount of their quota into the common fund after each half-yearly audit. That, however, seemed to involve a larger amount than some of the parishes would be able to pay, because the entire £350,000 would be paid away by the parishes to the managers of the asylums and dispensaries before they could get repaid from the common fund, so that they should really pay twice before they could get recouped. It appeared that in the western districts the parishes would have to pay in £33,285 and receive out £2,625; in the northern districts pay in £14,000 and receive back £1,200; in the central districts pay in £28,000 and receive back £15,000; in the eastern districts pay in £2,300 and receive back £35,900; in the southern districts pay in £8,500 and receive back £31,000; so that the amount paid in would be £86,215, and that received back £86,215 likewise. He wished to leave it open to the Poor Law Board to make arrangements not to call on certain parishes in such a way as to oblige the latter to spend thousands in interest for raising the money. He thought some arrangement might be made by which the parishes which had spent the money in paying the managers of the asylums, dispensaries and schools, might be credited with the amount disbursed when they came to pay their quota to the fund.

Mr. AYRTON said, in point of fact, the rates would have to be raised twice—once from the union and once from the common fund; but by a slight alteration in Clause 70 that difficulty could be obviated.

MR. GATHORNE HARDY said, it was quite true the unions would have to raise the first half-year. They would then be recouped all they had a right to from the common fund; and for their next half-year they would only raise what was sufficient. It would not be necessary for parishes afterwards to raise these very large sums, because they would have money coming in from the common fund. He should be happy if any practical way of doing that differently were suggested.

MR. GOSCHEN said, that according to the provisions of the clause, the parishes would be constantly in advance of the common fund, and this would weigh very heavily on the poorer parishes. It would be well if the right hon. Gentleman made some alteration in the clause.

MR. GATHORNE HARDY said, the Receiver would be able to make arrangements with the parishes for the payments.

MR. ALDERMAN LAWRENCE said, the rate for the first half-year would amount to £170,000, and as that must be all raised beforehand, the interest, which at 5 per cent would amount to something like £8,000, would have to be thrown away—in other words, an additional rate of 3*d.* in the pound would have to be made.

Clause *agreed to.*

Clauses 66 to 68, inclusive, *agreed to.*

Clause 69 (Application of Common Fund.)

EARL GROSVENOR said, he had to move an Amendment. The object of his Amendment was to put these buildings upon the common fund. They were not at all specified in the Bill, and he wished them to be placed upon the common fund.

Amendment proposed,

In page 14, line 31, after the word "say," to insert the words "for the purchasing, hiring, building, repairing, fitting up of buildings for the asylums, and any sum in the nature of rent or other compensation payable by the managers to the guardians, in respect of the use for the asylum of a building previously used as a workhouse: Provided always, That all estimates and contracts made by the managers shall be submitted to the Poor Law Board, or to an officer by it appointed, for approval, before any agreements are signed." —(*Earl Grosvenor.*)

MR. AYRTON said, he trusted the President of the Poor Law Board would have no hesitation in accepting this Amendment, considering the quarter whence it came. If it were proposed in a spirit of hostility, no doubt the right hon. Gentleman would be justified in opposing it; but, considering that it had reference to charges which would fall upon the mover, it indicated an extreme desire on his part to bear his full share of the burdens of the metropolis. He was not aware that any one objected to the Amendment, and the Members for the City had expressed their readiness to bear their share of the burden. The right hon. Gentleman might have been justified in limiting the Bill at first, but he was now justified in accepting the proposal of the noble Earl, which was highly honourable to him, considering the position which he occupied.

MR. GATHORNE HARDY said, that no one in the House appreciated more highly than himself the honourable intention of the noble Earl; but he had received deputations on the subject, and he felt bound to resist the Amendment, because it seemed to him to be unjust in itself. A great number of unions had gone to great expense in getting their buildings into good repair, so that with very little additional expenditure they would be able to provide the accommodation they required. It was not only a question of the present condition of these workhouses, but large numbers of lunatics and others would be removed, and many wards would thus be set free for other uses. There were twenty-four of the unions and parishes that had done much to supply efficient buildings, and Parliament was bound to take into consideration the expenditure they had freely incurred to supply what was needed in their own district. The parish of St. Leonard, Shoreditch, had expended enormous sums upon their workhouse, and when the lunatics, &c., were removed, the present building would provide accommodation for their own sick. St. George's-in-the-East had also done much in the same direction. What he objected to in the Amendment was that a new burden would be cast upon such parishes, if other parishes which had not expended so much as they ought to have done were to profit by this expenditure. Several parishes had been suspending their buildings for a short time in order to see what took place in that House, and complications of which the House was not aware would occur, which would render the difficulty of carrying out the Bill much greater than it would otherwise be. So far he had limited the power of the Board to what was reasonable and fair, but that would be the case no longer if these buildings were to be used as asylums for the whole of the metropolis. If one of these buildings was used for the whole metropolis then the Poor Law Board could make the whole metropolis pay for it. If these parishes had not sufficient accommodation let them build for themselves, and not come upon those who had expended large sums for these buildings.

Mr. GOSCHEN said, that in judging whether the Amendment should be carried a great deal would depend upon whether the metropolis were or were not to be one district for asylum purposes. If one it would be immaterial whether the expense came out of the common fund or the individual fund. But if the districts were to be numerous, and differing in size and wealth, the difference of placing the expense on one or the other fund would be very great. Under the 6th clause the Poor Law Board would have power to form the districts as they pleased, and afterwards to remodel them; and in this way the Board would be able to make an approach as near as it chose to an equalization of the rating. He took the proposal to be that the whole expense of the asylums should be put into one common pot, so to say; and then remuneration would have to be given to those parishes which had already provided asylums, and in this way justice would be done. He would ask whether it was intended to place the small pox and fever hospitals as well as the asylums on the common fund?

Mr. GATHORNE HARDY said, his view was that with respect to lunatics, fever, and small pox patients this was a metropolitan question, and he would make the district equal to the whole of the metropolis, with asylums conveniently situated east, west, north, and south. When one asylum was full they must be sent to another, but they would all be managed by one body. But with regard to other classes of the poor it had never been his intention so to act. Many of the parishes were of large size, and some had already provided either a separate hospital for their workhouses or a hospital which at very little expense might be made available as such. Those who had upon their own ground provided all that could be required ought not to be called upon to contribute towards places that were not so provided. He was not aware how the metropolis would be divided, and he could not, therefore, answer the question of the right hon. Gentleman. Some of the parishes which were among the very poorest had provided everything upon their own ground, and he did not think that justice would be done to them under this Amendment.

Mr. LOCKE said, that he was surprised that any difficulty had been found in this matter. Originally, it was intended that the expense of erecting these asylums should be borne by a common fund, and why that intention was not adhered to he could not understand. What would be the operation of the Act in the case of several poor parishes, say on the Surrey side of the water, having to build an asylum for the purposes of the Act. Would they have to pay for it out of their own funds? Some arrangement was desirable whereby an equitable adjustment of these charges might be made in respect to the building of asylums. These districts would probably be formed in one case by joining several poor parishes together, and in another by the union of several rich parishes; but the duty of building asylums must fall at the outset indiscriminately upon the rich and poor. This would involve a serious outlay in the case of the latter, and he hoped that some arrangement might be made for throwing the cost upon the common fund.

Sir HARRY VERNEY said, he was of opinion that if the proposal of the noble Lord were rejected, a serious burden would be thrown upon the poorest and most unhealthy parishes.

Mr. AYRTON said, he had understood that the President of the Poor Law Board would make one district for the purpose of providing these asylums so that the charge would extend over the whole of the metropolis; but in that case some provision ought to be made for equitable adjustment in the case of parishes which had already erected buildings at considerable expense.

Mr. Alderman LUSK said, he hoped the clause would not be altered. He knew some districts which had built largely for the poor; but under the proposed Amendment they might be treated as if they had done nothing.

Mr. GOSCHEN said, those districts would be entitled to compensation.

Mr. Alderman LUSK: But the compensation might be neutralized by charges for new buildings.

Question put, "That those words be there inserted."

The Committee *divided:*—Ayes 35; Noes 97: Majority 62.

SIR HARRY VERNEY said, he rose to move the addition to the clause at page 14, after line 31, of the following words:—

> "For the maintenance in a sufficient number of duly regulated hospitals, and under the care of trained nurses, of the sick poor; together with the cost of training nurses."

His object was the cure of all the sick poor of the metropolis. He hoped the right hon. Gentleman would accept that Amendment in the interest of the sick poor. The treatment of the sick poor in the metropolis was so bad as to have roused public indignation, and to have called for the introduction of that Bill, which it was desirable to make, as far as possible, a perfect measure. It was the common interest of all the inhabitants of the metropolis that all the sick poor who could be cured should be so, and the charge for that purpose ought to be defrayed from the common fund. The President of the Poor Law Board had admitted that the cost of the lunatic poor of the metropolis should be borne by a common fund; and what reason could be urged why the charge of the sick poor of the metropolis should not be borne by a common fund? All sick cases should be taken out of the category of pauper cases. It was to give effect to that principle that he proposed this Amendment.

MR. GATHORNE HARDY said, he gave every credit to the hon. Baronet for his benevolent intentions; but the carrying out of his principles would be injurious rather than beneficial to the sick poor. The Amendment was entirely inconsistent with the framework of the Bill. The effect of the Amendment would be to bring about what the hon. Baronet himself would deprecate—namely, a levelling of the sick poor who had hitherto not been relieved by the poor rates with the vicious and degraded poor. That would be one of the greatest wrongs that could be done to those of the sick poor who were distinguished from paupers. As the Poor Law Board was not yet prepared to supply trained nurses to the metropolitan hospitals no charge could be put on the rates for nurses, because it was only nurses who had been trained like those trained by Miss Nightingale in respect of whom the ratepayers could be charged. It was, of course, desirable that nurses should be duly trained; but who was to decide when they were so? He rejoiced that there was a prospect of obtaining efficient nurses, and that there would be the means of training them; but if he accepted that Amendment, he could not have the power of paying any nurses unless they had been trained, which in many instances they had not been. His desire was to treat the sick poor in the workhouses with humanity in every respect, taking care that they should, as far as possible, be free from physical and moral associations calculated to do them harm.

Amendment *negatived.*

EARL GROSVENOR moved, in section 2, after the word "smallpox" to insert "cancer or syphilis."

MR. GATHORNE HARDY said, there was no occasion for any new hospital for cancer. The number of cases were so few that it was scarcely worth while to throw them on the common fund. He had a report from a workhouse to show that out of 476 cases there were only two of a cancerous kind. In another workhouse out of 463 cases there were only two cases of cancer. In a whole month, in forty workhouses of the metropolis, there were only nineteen cancer cases. It was most undesirable that such cases should be brought to the workhouses at all; they should be brought to places where they would get surgical treatment. A great many of the workhouse authorities had sent patients affected with the other disease referred to to the Lock Hospital. It was necessary to treat such cases separately. It was objectionable that a person of excellent character with an ulcerated leg should be placed in a ward with a person afflicted with the other disease, and brought into connection with persons with whom he would never wish to associate. He did not think this was a class of patients that had any particular claim on the common fund. If they could keep those persons in until they were cured there would be some advantage, but they could go in and out as often as they pleased. At no time did their number in the workhouses exceed 150.

EARL GROSVENOR said, he thought unless the Amendment were adopted that it would be impossible to keep the Lock patients separate from the rest. Would it not therefore be better to put those patients on the common fund in order to insure that object? The fact of the unions having subscribed to the Lock Hospital, showed the necessity of keeping these cases separate. He would not press the Amendment as far as cancer was concerned.

Mr. C. P. VILLIERS said, that two objects which had been confused, though quite distinct in themselves, were aimed at by the establishment of the common fund—the one to relieve the poor parishes, the other to secure better treatment for the sick. The question was why, if fever and small pox were cast upon the common fund, should not cancer and syphilis also? The cases were very numerous or they were not. If they were very numerous, then the burden of providing for them would be very heavy if left upon poor parishes; if they were not, the additional expense that might be cast upon the common fund would not be much.

Amendment *negatived.*

Clause *ordered* to stand part of the Bill.

Clauses 70 to 78, inclusive, *agreeed to.*

Clause 79 (Addition of nominated Guardians.)

Mr. HARVEY LEWIS said, that the elected guardians were decidedly averse to this power of nomination on the part of the Poor Law Board, and its exercise was likely to create great dissatisfaction. It would practically set aside the present Boards of Guardians. He hoped that the clause would be omitted.

Mr. BUTLER said, that by the principle of this clause a blow was struck at local government. The largest parishes in the metropolis were without resident justices of the peace. In St. George's-in-the-East there were few persons rated at £40 a year, and 21 per cent of that large parish were absolutely receiving relief at the present time.

Mr. AYRTON said, that the *ex officio* and nominated guardians, taken together, should not exceed one-third of the full number of elected guardians, or they might have no *ex officio* guardians. He did not see why they should have both *ex officio* and nominated guardians.

Mr. HIBBERT said, that the effect of the clause would be to make the Poor Law Board guardians for the whole metropolis.

Mr. LAYARD said, his constituents on the south side of the water were highly satisfied with the Bill as a whole; but they entertained a strong objection to this clause, which he trusted the right hon. Gentleman would withdraw.

Sir JOHN SIMEON said, he trusted that the President of the Poor Law Board would not withdraw the clause. The poor felt that the Poor Law Board was their protector, and the real guardian of the poor.

Mr. LOCKE said, he thought the clause unnecessary, inasmuch as its object would be sufficiently met by the existing law, which made justices of the peace *ex officio* guardians. If this clause were persisted in the effect would be to ultimately to do away with guardians altogether.

Mr. CANDLISH said, he considered the clause to be objectionable, dangerous, a great blot on the Bill, and a serious inroad on representative Government, and he wished to ask if it were really essential to the Bill.

Mr. J. STUART MILL said, he wished to ask if it were worth while risking the popularity of the measure for the sake of the clause. Boards of Guardians, who had hardly any power left, except in relation to the outdoor poor, would be quite as fit to inspect asylums, &c., without nominee guardians as with them.

Mr. Alderman LAWRENCE said, that as the Poor Law Board would have power to nominate one-third of the managers of dispensaries, asylums, and schools, the additional power of nominating one-third of the guardians would practically give the Poor Law Board more than one-third of the power of control, and that no provision was made for the nominee guardians going out of office.

Mr. GATHORNE HARDY said, that the clause was entirely permissive; the word was not "shall" but "may." It was inserted because of the special duty the guardians had to perform in reference to the asylums. It might happen that in some districts there might be no district asylums, but a hospital or infirmary confined to a particular union. Having asked for nominees in the case of the managers, it was thought only right to ask for the permissive power to nominate guardians in large unions. If, however, the Board were well supplied with *ex officio* guardians, he should not think of forcing nominees upon them, and there need be little apprehension that the power of the Poor Law Board would be abused. If the power of nomination were to be given to the Poor Law Board with reference to managers, it seemed more important that it should be extended to guardians than to dispensary committees, upon which he understood there was some anxiety to have nominees.

MR. ALDERMAN LUSK said, nothing had been said for the ratepayers in this question. He thought a due consideration of their interests should induce the right hon. Gentleman to withdraw this clause. He upheld the principle of representation as opposed to nomination. In the words of the popular song, he would say, "Oh, woodman, spare that tree!"

MR. AYRTON said, he hoped that in any event the number of nominated members would not be allowed to exceed one-third of the whole.

MR. WYLD said, he thought the Committee were really much indebted to the right hon. Gentleman for the care he had bestowed on this Bill. He believed it would effect great and permanent good; but this clause would go far to nullify its beneficial effects. If the Bill, excellent as it was, applied to the whole country, it would be simply impossible to carry it with such a provision; but in such cases the metropolis was always victimised. The clause introduced a perfectly novel principle, that of nomination, in the case of a body which, to a certain extent, would possess taxing powers.

MR. AYRTON said, he wished to know if the right hon. Gentleman would agree to the suggestion which he had made?

MR. GATHORNE HARDY said, he had no objection to the clause being amended to the extent suggested by the hon. Member.

An hon. MEMBER said, if the clause were applied to the whole of England, the right hon. Gentleman would run great risk of losing this good Bill. In fact, the clause ran counter to the principle of the constitution, and allowed the nominees of the Poor Law Board to override the will of the representatives of the ratepayers.

MR. A. SMITH said, he differed entirely from the last speaker, and thought the experiment of allowing perfectly impartial persons to interest themselves on this subject ought to be encouraged. He sincerely thanked the right hon. Gentleman for his Bill.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided:*—Ayes 92; Noes 27: Majority 65.

Remaining clauses *agreed to.*

MR. PERCY WYNDHAM said, it was of great importance to prevent the dissemination of infectious and contagious diseases by the conveyance of sick persons to asylums in ordinary vehicles. Properly constructed carriages ought to be provided for the purpose, and, indeed, this principle had already been recognised by Parliament in regard to parochial matters. Under the present system he believed all kinds of conveyances were used; but this practice was obviously objectionable and ought to be put a stop to. He therefore moved the insertion, after Clause 28, of the following clause:—

> "Where the asylum is provided for the reception and relief of the sick, every such asylum shall be provided with a hospital carriage, of such a pattern as the Poor Law Board shall approve, for the conveyance of persons suffering from small pox, fever, or other infectious disease."

MR. GATHORNE HARDY said, he thought that, under the 20th clause, everything which the hon. Gentleman desired would be provided for. That clause was to the effect that all necessary Fixtures, Furniture, and Conveniences should be provided, and he thought those words would meet the case. The suggestion of his hon. Friend was a most excellent one, and he believed it would be carried out under the clause.

Clause, by leave, *withdrawn.*

Preamble *agreed to.*

House *resumed.*

Bill *reported;* as amended, to be considered upon *Wednesday.*

SUGAR DUTIES BILL—[BILL 37.]

(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer.*)

CONSIDERATION.

Order for Consideration read.

Bill, as amended, *considered.*

MR. HUNT stated, that in consequence of some arrangement respecting the drawback upon sugar between this country and Holland, the third reading of the Bill would be postponed to this day fortnight.

Bill to be read the third time upon *Monday,* 25th March.

House adjourned at a quarter before Twelve o'clock.

HOUSE OF LORDS,

Tuesday, March 12, 1867.

MINUTES.]—PUBLIC BILLS—*First Reading*—Shipping Local Dues * (41); Duty on Dogs * (42); Railway Traffic Protection (43).

Second Reading—Recovery of Certain Debts (Scotland) (14).

RAILWAY TRAFFIC PROTECTION BILL.

PRESENTED. FIRST READING.

LORD REDESDALE, in *presenting* a Bill for securing the traffic on railways from interruption by the creditors of companies, said, that at this moment very great apprehension was felt by certain railway companies lest proceedings might be taken against them by individual creditors, which would have the effect of stopping the working of their lines. An inquiry was going on in "another place" on this subject, and it was extremely desirable that no steps should be taken by any individual while that inquiry was pending, which might tend to the inconvenience of the public, or to the injury of the general body of the creditors of those companies. The Bill which he begged to lay on the table would suspend the power of proceeding against railway companies until the 1st of August, with the intention of the measure being renewed by that time, or modified by legislation of a different character. In that way great relief would be given, and railway property would be secured from invasion by single creditors.

A Bill for securing the Traffic upon Railways from Interruption by the Creditors of Companies—Was *presented* by The Lord REDESDALE; read 1ª. (No. 43.)

RECOVERY OF CERTAIN DEBTS (SCOTLAND) BILL—(No. 14.)

(*The Lord Chancellor.*)

SECOND READING.

Order of the Day for the Second Reading read.

THE LORD CHANCELLOR, in moving the second reading of this Bill, said, it was one which was likely to be favourably received in Scotland. He had himself presented a petition in its support from the Scottish Trade Protection Society, signed by 1,500 merchants, bankers, manufacturers, and tradesmen; and a noble and learned Friend near him had also presented a petition in favour of it from the Chambers of Commerce in Scotland. He was not aware that any petition had been presented against the measure except one; but the interests of the law agents in Scotland—whose opposition was not unnatural—he was convinced would not be injured by the change. The provisions of the Bill, their Lordships would find, were very simple. Under the Small Debts Act in Scotland, the Sheriff had a jurisdiction to the extent of £12. These powers of the Sheriff Court had, he believed, been very efficiently exercised; and there had been in consequence a great desire felt in Scotland that the jurisdiction of the Sheriff in the recovery of debts should be extended to the amount of £50. The present Bill was introduced for the purpose of meeting that wish as to a certain class of debts—those, namely, where the creditor was compelled to bring his claim within three years. This class of debts was very well known, and had been established by judicial decisions, and included merchants' accounts, servants' wages, and other matters of that sort. Under the law as it stood, the decision of the Sheriff, whether principal or substitute, was final; but there was an appeal in some cases from the Sheriff Substitute's Court to the Sheriff, whose decision was final. It was proposed in this Bill that the same summary jurisdiction which exists under the Small Debt Acts should be extended to £50; but it was also proposed that there should be still an appeal to the Sheriff from the Sheriff Substitute in cases where debt was between £12 and £25; and with regard to cases in which the claim was over £25, there should be an appeal to the Court of Session. With regard to appeals from the decision of the Sheriff Substitute to the Sheriff, it was provided by the Bill that there should be no appeal unless either of the parties, before any evidence has been taken, shall make requisition that a note of the evidence be taken. He believed that the extension of jurisdiction would not only be extremely satisfactory to the classes of Scotch people interested, but that the expenses also of recovering small debts would thereby be considerably diminished. He was told that obtaining a decree, in absence of a defence, costs under the present system 40*s.*; whereas, under the provisions of the present Bill, should it become law, it will be obtained for a debt of £20, at the cost of 5*s.*, if no law agent should be employed, and an additional 5*s.* should the services of an agent be retained; and 10*s.* for a debt between £25 and £50. It was proposed that this extended jurisdiction should not be compulsory, and that if a Sheriff, before whom a claim might be brought, should think that the case was not one which ought to be dealt with in a summary manner, then he would have power to remit the case to his ordinary jurisdiction, as though this Bill had not become law. There were other details of a technical character; but he need not trespass on their time by discussing them, especially as there was ample evidence before their Lordships of the existence of a very general, almost unanimous, desire in Scotland in favour of the measure.

Motion *agreed to:* Bill read 2ª accordingly, and *committed* to a Committee of the Whole House on *Thursday* next.

BRITISH NORTH AMERICA BILL.

(*The Duke of Buckingham and Chandos.*)

(NO. 38.) COMMONS AMENDMENTS.

Commons Amendments *considered* (according to Order.)

LORD **LYVEDEN** said, he desired some information with regard to a collateral subject—the Imperial guarantee of the loan for constructing the Intercolonial Railway.

THE DUKE OF **BUCKINGHAM** said, that a Resolution on the subject would be laid before the House of Commons within a week, and it was proposed to defer the progress of the present Bill until the discussion had taken place on that Resolution.

LORD **REDESDALE** asked whether the guarantee was to be permanent or for a term of years?

THE DUKE OF **BUCKINGHAM** said, that he must defer his answer to these questions of detail until a Bill founded on the Resolution should have been laid on the table of the other House.

Amendments *agreed to.*

House adjourned at half past Five o'clock, to Thursday next, half past Ten o'clock.

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HOUSE OF COMMONS,

Tuesday, March 12, 1867.

MINUTES.]—NEW MEMBER SWORN—Hon. Octavius Duncombe, *for* York County (North Riding).

SELECT COMMITTEE—On Divorce Bills *nominated;* on Fire Protection *appointed;* on Limited Liability Acts, Mr. Kirkman Hodgson *added.*

PUBLIC BILLS—*Ordered*—Oxford and Cambridge Universities Education.

Considered as amended—Dublin University Professorships * [59].

Third Reading—(£369,118 *5s. 6d.*) Consolidated Fund,* and *passed.*

CATTLE PLAGUE—COMPENSATION FOR SLAUGHTERED CATTLE.—QUESTION.

MR. **READ** said, he wished to ask the Secretary to the Treasury, To whom the Owners of Cattle slaughtered by Inspectors from August to November, 1865, are to apply for compensation, and through what channel such compensation will be paid?

MR. **HUNT** said, in reply, that the owners must send their claims in to the clerk of the local authorities, who would forward them to the Privy Council. When they had been duly verified they would be sent to the Treasury, and payment would be made by the Paymaster General.

MR. **READ** said, he wished to know who would verify the certificates—the local authorities or the Privy Council?

MR. **HUNT**: Both.

MR. **REBOW** said, that the answer of the hon. Gentleman was directly opposed to what had been stated by Mr. Corry. That right hon. Gentleman said that the claims must go through the Clerk of the Peace for the County.

MR. **HUNT**: There is no contradiction, for the Clerk of the Peace is generally the clerk of the local authorities.

REPRESENTATION OF THE PEOPLE—REFORM STATISTICS.—QUESTION.

MR. **LOWE** said, he would beg to ask Mr. Chancellor of the Exchequer, Whether he will lay upon the table a Return for every Borough in England and Wales, showing—the Name of Borough; the number of Male Occupiers below £10 rental; the number of Male Occupiers at £30 rental and upwards; and the number of Male Occupiers at £7 rental and under?

THE **CHANCELLOR** OF THE **EXCHEQUER**: All the information, Sir, that the right hon. Gentleman wishes to have is really upon the table or in the Library of the House. If the right hon. Gentleman will look at the Return of Mr. Baines, No. 81 of last year, and at that of Mr. Horsfall, No. 494, he will find in them all the information he requires. At the same time, if it would be for the convenience of the House, or of the right hon. Gentleman, that it should be produced in a tabular form, we shall be happy to give it him. But I can assure him that the clerks in the Poor Law Board are much overworked at this moment.

STALYBRIDGE RAILWAY STATION.
QUESTION.

Mr. CHEETHAM said, he wished to ask the Vice President of the Board of Trade, Whether the attention of the Board has been directed to the very inconvenient and dangerous condition of the Stalybridge Station of the Manchester, Sheffield, and Lincolnshire Railway and Lancashire and Yorkshire Railway Companies; and, if so, whether the Board has had any Communication with the Companies upon the subject, with a view to oblige them to make better arrangements for the convenience and safety of the public?

Mr. STEPHEN CAVE: Yes, Sir, the attention of the Board of Trade has been so directed. On December 8, 1865, and on June 18, 1866, the Mayor of Stalybridge called the attention of the Board to the "disgraceful condition" of this station. On the 15th of December, 1865, and 11th of July, 1866, Colonel Yolland inspected and reported against it. His recommendations have been communicated to the two Companies in question. The Board of Trade wrote again on the 12th of September, 1866, to both Companies. The Manchester, Sheffield, and Lincolnshire replied on the 15th that they were in communication with the Lancashire and Yorkshire Railway Company, and on the 21st the Lancashire and Yorkshire replied that they were in communication with the Manchester, Sheffield, and Lincolnshire. A further reminder was sent to both Companies on the 21st November, to which the Manchester, Sheffield, and Lincolnshire replied on the 30th that they were still in communication with the Lancashire and Yorkshire. No answer has yet been received from the latter Company. The attitude at present of the two Companies resembles the celebrated position of the two commanders—

> "Lord Chatham with his sword drawn
> Was waiting for Sir Richard Strachan
> Sir Richard, longing to be at 'em,
> Was waiting for the Earl of Chatham."

The Board of Trade has no power to compel these Companies to make better arrangements. They are in possession of Colonel Yolland's Reports, which have also been laid before Parliament. The responsibility rests with them, and that responsibility will be very serious should any accident occur in consequence of their neglect of these repeated warnings. Both Companies have Bills before Parliament this Session, and I presume Parliament can refuse to sanction new works communicating with the Stalybridge Station until it has been improved.

SCOTLAND—CANONGATE CHURCH, EDINBURGH.—QUESTION.

Mr. MONCREIFF said, he would beg to ask the Secretary of State for the Home Department, Whether it is the intention of Government to fill up the present vacancy in the Collegiate Charge of the parish of Canongate, in Edinburgh; and, whether he intends to introduce any measure relative to the Annuity Tax in that parish?

Mr. WALPOLE said, in reply, that in consequence of the representations made to the Government, it was not intended to fill up the presentation, and it was under consideration whether they would bring in a Bill relative to the annuity tax.

RAILWAY COMPANIES ARRANGEMENTS BILL.—QUESTION.

Mr. FILDES said, he wished to ask the Vice President of the Board of Trade respecting the Railway Companies Arrangements Bill, which Bill stands on the Orders of the Day for Second Reading for Monday, the 29th April, Whether the Second Reading of this Bill is certain to be moved on that day?

Mr. STEPHEN CAVE: This Bill, Sir, was postponed to a distant day, in order to give the Government and the country ample time to consider the intricate question of railway legislation. The opinion of all parties will doubtless be guided very much by the proceedings of the Debenture Holders' Committee, by the Royal Commission, and by other circumstances to which I need not advert. If the hon. Member will kindly repeat his question a few weeks hence, I shall probably be able to give him an answer.

OXFORD AND CAMBRIDGE UNIVERSITIES EDUCATION BILL.—LEAVE.

Mr. EWART, in moving for leave to bring in a Bill to open the benefits of Education in the Universities of Oxford and Cambridge to students without obliging them to be Members of a College or Hall in those Universities, said, that as most hon. Members were aware, in former days students were allowed to live at the Universities without belonging to any College or Hall. Colleges were intended for the cheap education of students, instead of which they enhanced the cost of it. There were said to have been at one time 30,000 students at Oxford, and as many at Paris. Colleges and Halls, under the name of *Hospitia*, were afterwards founded. The famous College of the Sorbonne still survived; so did our Colleges and Halls at Oxford and Cambridge. In Germany, Italy, and France free access was allowed to the Universities without obliging students to belong to any College, and education was there very much cheaper than in this country. In Scotland and Ireland the same privilege was enjoyed with the same result. He would appeal, in support of his case, to the testimony of the Commissioners who inquired into the system of University education at Oxford. The Commissioners stated in their Report that—

> "No skill or vigilance in colleges would reduce the cost of living so low as it can be by the ingenuity and interest of a student."

Professor Wall said—

> "It is to the admission of students to the University, without connection with a college or hall of any kind, that I look for the greatest good to the University, the Church, and the country."

Professor Vaughan stated—

> "Lodging-houses connected with the University, though not with colleges, would extend the University system. I think such a change would at this moment be opportune, as well as advantageous."

In the University of Aberdeen the average expense of a student for five months was £20 or £25. A great many Scotch students were obliged to work in the farm in vacation, and this witness stated that—

> "One who holds the plough and cuts the harvest is one of the best scholars that ever was within the walls of a University."

He was struck the other day in reading in *The Times* a quotation, from a letter which referred to Scotch students in Aberdeen, to the effect—

> "In reference to the Senior Wranglers who have come from Aberdeen during the last few years, it is no disparagement to say that the majority of them have roughed their way upwards from the very humblest ranks of life. Unless parents among the working classes in England are brought to feel the importance of educating their boys—and education is realized as a parental duty—the Wranglers will still come from the other side of the Tweed."

It might be said that immorality would result from the lodging-house system; but precautions might be taken to have licensed lodging-houses. Wealthy students could lodge in Professors' houses. Dissipation would be beyond the means of the poor. He considered that the measure he proposed was at once a Liberal and Conservative one. Liberal because it threw open the portals of the Universities; Conservative because it revived the usages, and restored the original character of those venerable institutions. He was convinced that it would promote the lasting interests of the Universities and the nation.

Moved, That leave be given to bring in a Bill to open the benefits of education in the Universities of Oxford and Cambridge to students, without compelling them to be Members of a College or Hall in those Universities.—(*Mr. Ewart.*)

MR. BERESFORD HOPE said, he did not rise at that stage to oppose the Bill; but, as a son of one of our Universities, must really protest against the system which was growing to such a height in that House of dry-nursing those institutions. It seemed to him that the Universities were far more capable of knowing what they wanted, and of carrying out the necessary measures for supplying it, than certain hon. Gentlemen opposite, all of them devoted friends to those venerable corporations, according to their own account of themselves. He did not dispute the archæology of the hon. Member in what he had said of the University system in ancient times—

> "Chronica si penses cum pugnant Oxonienses,
> Post aliquot menses volat ira per Angligenenses;"

which meant that the students of Oxford in the Middle Ages were very much like the gentlemen who now met on Saturday afternoon in Trafalgar Square. The Universities had by their charters and constitution great recuperative powers, which the University Reform Bills of the last twelve or fourteen years had increased, and they had since been actively engaged upon measures of Reform. If it should be desirable to admit external students at Oxford and Cambridge, both Oxford and Cambridge had it in their own power to provide for their admission. If that change were to be carried out, he ventured to say that the method of doing it best suited to Oxford would on that very account not be the method best suited to Cambridge, a University which possessed, though some people seemed to forget it, its own system and its own traditions. Fourteen years ago there was an Oxford Reform Bill, which he was willing to believe was very much wanted. A year afterwards a similar Bill for Cambridge, which was not so much wanted, was brought in and hurried through almost *sub silentio*, because it was thought by Members to be only the second series of the novel of the preceding season. Oxford and Cambridge had ample means of acting for themselves in that matter; and that being merely a question of University discipline, if they saw fit to admit external students, they would do so without leave or licence from the hon. Member for Dumfries. Still, he desired to see what the Bill was before raising any opposition to it. He trusted that he would then find it merely nugatory, and not mischievous. Better than nugatory he could not expect it to be.

SIR WILLIAM HEATHCOTE also desired to see the Bill, and had no intention to oppose its introduction. Not only had the Universities power to do that which, as far as he could gather, the hon. Member for Dumfries (Mr. Ewart) desired to do, but at that very moment the question was under consideration at the University of Oxford, whether or not it was fitting to adopt some such plan as the hon. Gentleman's measure purported to effect. It might, he thought, be safely left to the University authorities to consider the mode of extending the benefits of those institutions.

COLONEL SYKES said, that at Aberdeen, in consequence of the numerous small bursaries that existed, persons had been enabled to go through a University education who could not have had any prospect of doing such a thing on this side of the Tweed. He had presented a petition a few years ago from seven parochial schoolmasters in Aberdeenshire, whose salaries were exceedingly small, and out of the seven no fewer than five were Masters of Arts who had gone through the University of Aberdeen. He could also name a score of persons who, by means of the bursary system in the Aberdeen Universities, had risen almost from the labouring class of Scotland to the highest possible literary and scientific eminence. The system, however, he was sorry to say, had been injuriously affected by the recent changes connected with the union of the colleges at Aberdeen.

MR. EWART, in reply, said, he did not, of course, object to the Universities effecting improvements themselves; but he maintained that that House had a right to see that good measures were adopted, as far as they could be, in those great institutions.

Motion *agreed to.*

Bill *ordered* to be brought in by Mr. EWART, Mr. NEATE, and Mr. POLLARD-URQUHART.

FIRE PROTECTION

MOTION FOR A SELECT COMMITTEE.

MR. M'LAGAN, in moving the appointment of a Select Committee to inquire into the existing legislative provisions for the protection of Life and Property against Fire, said, that the numerous fires which had occurred within the last few years, the mystery with which the origin of many of them had been invested, the suspicious character of not a few of them, and the serious losses, both of life and property, with which others had been attended, had directed public attention to the whole question of fires. There was a strong opinion abroad that a Parliamentary inquiry should be instituted, with the view of devising the best means that could be adopted for the protection of life and property from fire. He but joined in the expression of that opinion in asking for the appointment of a Select Committee, which would be a natural sequence to the Select Committee on Fires in the Metropolis, which sat in 1862, of which the hon. Member for Peterborough (Mr. Thomson Hankey) was Chairman, and to which we were indebted for much useful information and many valuable suggestions. The principal points to which he wished the inquiries of the Committee should be directed were—first, the proper construction of public buildings and warehouses, upon which depended very much the prevention of fires spreading; second, the means for extinguishing fires, under which head were included the supply of water and the arrangements and appliances that could be brought into action on the outbreak of a fire, such as the establishment of fire brigades, fire-engines, &c.; and third, the expediency of having a judicial investigation into all fires. The importance of providing some means for preventing the ravages of fire was acknowledged at a very early period. The Romans, for instance, had bands of men whose principal duty was to watch for and extinguish fires. About 800 years ago it was enacted in this country that all fires in houses should be extinguished at the ringing of the curfew bell, under a penalty;

and about 300 years ago bellmen were appointed in London, whose duty it was to ring the bells at night, and call out, "Take care of your fire and candle; be charitable to the poor, and pray for the dead." So also from time to time Acts had been passed with the view of preventing and of extinguishing fires. But still, the great increase in the number of fires and their devastating character showed that those legislative measures had not proved quite effective. For instance, in London alone the number of fires has increased from 681 in 1840 to 1,487 in 1864—that was, it had been more than doubled in twenty-four years. No doubt there had been an increase also in the number of houses; but the increase in fires had been much greater than the increase in houses. And though the fire extinguishing arrangements were now much more efficient than they were, and had been recently brought under the control of the Metropolitan Board of Works, and the number of fires had consequently somewhat decreased, our means of protection against fire were still inadequate as compared with those in some other cities. For instance, while in London there was only one engine station for every six square miles, there was in Paris 1 1-5th, and in New York $1\frac{1}{2}$ for one square mile; in London there was only one fireman to one square mile; in Paris there were 11 firemen, and in New York 64 firemen to one square mile; in London there was only one fireman to 20,000 inhabitants; in Paris and New York there was one to 1,338 and 676 inhabitants respectively; in London there was only one fire-engine to three square miles; in Paris and New York there were about $1\frac{3}{4}$ to each square mile. He might state that he gave these and other figures very much on the authority of Mr. Young, the author of *Fires, Fire Engines, and Fire Brigades.* But these arrangements in London, however unfavourable they contrasted with those of Paris and New York, would be reckoned efficient and complete when compared with the provisions against fire that were made throughout the country generally; for if we excepted such towns as Liverpool, Manchester, Edinburgh, Glasgow, &c., matters were in a most unsatisfactory state. Where private Acts had been obtained by which the municipal authorities had been enabled to bring a sufficient supply of water into the towns, to establish efficient forces of firemen and engines, and to take proper precautions in the erection of houses, the results had been most satisfactory. We had a striking instance of that in Liverpool, where, in the five years from 1838 to 1843, upwards of three quarters of a million were lost in warehouse risks. So serious were the losses to the insurance companies, that they were obliged to raise the mercantile rates of insurance from 8*s.* per cent to 30*s.* and 40*s.* per cent. These rates were tantamount to excluding a great deal of property from insurance. The authorities, appreciating the great danger to which much valuable property in the town was exposed from fire, obtained two Acts of Parliament—the one to enable them to introduce a large supply of water to extinguish fires and water the streets only; the other, to give them power to make it imperative on all owners of warehouses to erect and alter their warehouses according to certain conditions and restrictions. The effect of the carrying out of the provisions of these Acts was to cause the rates of insurance to fall again to 8*s.* per cent. Now, he expected that one of the results of the labours of this Committee, if appointed, would be the adoption in other parts of the kingdom of measures which had proved so beneficial in Liverpool. The present mode of conveying intelligence to the different stations of the breaking out of a fire were most inefficient; he would mention one method in use in America which might be adopted with great advantage in our large cities—he meant a telegraph system. In the principal cities of America as many telegraph stations were established in each district of the cities as were considered sufficient for the speedy acquiring and transmission of information. When a fire occurred intimation was sent to the nearest station, which communicated at once to the central telegraph station, and it in turn transmitted the news to the engine stations. It was of immense importance that early information of the outbreak of a fire should be received, and there was no better way of accomplishing that than by such a system as that in use in America. The next subject of the inquiry of the Committee would be the means of ascertaining the causes of fires. Unfortunately, the information we had hitherto been able to obtain on this point was very scanty; and the short sentence at the end of the greater part of the newspaper reports of fires—"the cause or origin of the fire is not known"—proved how much we had to learn in that respect. The only report of the causes of fires which we had was that issued annually by the London Fire Brigade, which was organized by that able and intrepid superintendent, the late much lamented Mr. Braidwood. To him and his successor, Mr. Shaw, we were mainly indebted for these useful and curious reports on the causes of fires. Inquiries, he believed, were always made by the Brigade into the origin of the fires immediately after they had been subdued; but to show how extremely difficult it was to arrive at the true causes, he might state that 474 out of 1,487 fires in 1864, or nearly 32 per cent, were returned "causes unknown;" while in 1866 the proportion was even larger, for 589 out of 1,338, or 36 per cent, were returned in the same way. He had no doubt that the members of the Fire Brigade were most assiduous in their exertions to discover the truth, and that we might depend upon the Returns being as accurate as could be arrived at under the circumstances; but it was evident that there was a necessity for a more searching investigation being made into all fires by a well-qualified person who was accustomed to receive and sift evidence. Such an investigation would be productive of much good in various ways. On that point the late Mr. Braidwood wrote—

> "One of the greatest preventives of carelessness in the use of fires and lights would be a legal inquiry in every case, as it would not only show the faults that had been committed, and thus warn others, but the idea of being exposed in the newspapers would be another motive for increased care."

Mr. Samuel Brown, Fellow of the Institute of Actuaries, also said—

> "The minuteness of inquiry will not only tend to give greater facilities of drawing useful conclusions, by enabling the inquirer to classify facts, but will lead, as it has already done, to direct attention to those causes which are of most frequent occurrence, and capable of remedy by watchfulness or change in habits. It serves also to indicate how men of science can give their services most effectually in the preservation of life and property. Thus the greatly increasing cause of fires, 'spontaneous ignition,' has led to some interesting chymical experiments into the nature of substances that may be thus dangerous to society without human agency."

It was likely that if proper inquiries were made into the causes of fires there would be considerably more restrictions placed on the warehousing of certain substances than was the case at present. For instance, we were all afraid of gunpowder being stored near our dwellings, and that material had always been the subject of the greatest precautions, and yet it had been found that very serious explosions, quite as bad as any from gunpowder, would take place when water was brought into contact with nitrate of soda and sulphur heated to a high temperature; and yet few were heard complaining of stores of these substances being near their dwellings, often in proximity to one another. So, also, there were great precautions taken against large quantities of petroleum; and yet turpentine, which had comparative immunity from the rigours of the law, was more ignitable than, and quite as explosive as, well-refined petroleum, as was shown by the dreadful explosion from turpentine which took place in Liverpool some ten or twelve years ago, which shattered and blew down several of the walls of the vaults in which it was stored. One great good that would result from such an investigation as he proposed would be, as Mr. Braidwood said, the reducing the number of fires from carelessness. In the first twenty-one years of the existence of the London Fire Brigade, there were 9,341 fires reported on, of these 2,511 were attributed to curtains, 1,178 to candles, 932 to gas, and only 100 to carelessness. Now, it was quite clear that the curtains would not take fire themselves unless some light or fire was brought to them; nor would the candles cause a serious conflagration unless they were brought too near some inflammable materials. He might safely, therefore, conclude that the greater part of the fires attributed to "curtains" and "candles" were really due to "carelessness." On that point it had been well said—

> "Carelessness, when reproved and shown the right way of proceeding, if persisted in, becomes wilfulness, and should therefore be severely punished. Reading in bed was a fruitful source of fires; and with the knowledge we have, and the instances of its pernicious effects continually occurring, it cannot be called other than wilful—it certainly is not carelessness. The recklessness with which candles, lucifers, gas, the inflammable oils, and other easily kindled materials, are used and treated in everyday life can scarcely be called carelessness, now that the danger arising from their improper treatment is known."

Not long ago he had read of a farm labourer who, being engaged in the stackyard, and having indulged in a smoke, put his pipe into his coat pocket, and while he was working pushed the coat into a stack. The fire in the pipe not being extinguished ignited the coat and then the stack, and in a short time several stacks were burnt down. It was said to be simple carelessness that was the cause of the fire. Hundreds of such cases were occurring every day in town and country, in which valuable property was destroyed and life jeopardized and lost. He had seen a report of a miner being sentenced to ten days' imprisonment, with hard labour, for endangering the lives of his fellow-workmen in a gaseous pit by lighting his pipe by the flame of his safety lamp. Another miner was fined 40*s.*, and in default of payment was committed to the House of Correction for two months, for striking a match and lighting his pipe in the pit. An engine keeper, also, who endangered the lives of his fellow-workmen by careless conduct in the working of his engine rendered himself liable to prosecution; and there was no reason why carelessness in fires should not be similarly dealt with. One of the great benefits that would be derived from a judicial investigation into fires would be the prevention of incendiarism, or, at all events, the reducing of the number of incendiary fires. There was a strong suspicion amounting almost to a certainty that the cause of a great majority of those fires, the causes of which were returned as unknown, was incendiarism. Fire-raising was now a frequent crime; and insurance offices, owing to the great competition among one another, were reluctant to prosecute any individual unless the suspicion was very strong against him. Fire-raising was now become a trade with a gang of swindlers, who made it their sole business to arrange fires with a view of defrauding the insurance offices—

> "Their plan is to take houses in different parts of London and in the suburbs, selecting the premises with an eye to their being as far distant as possible from the Fire Brigade stations. The houses are furnished, and immediately an insurance is effected on one of them the gang prepare the house for the fire and remove the furniture to another house. When the fire takes place they make their escape from the burning tenements with their night clothes over their ordinary clothing."

Again, he was quoting from a Liverpool paper—

> "The frequency of these conflagrations in Liverpool cotton warehouses when the market is low and their rarity when prices are high is a suspicious circumstance when observed over a long period."

These statements were corroborated by Mr. Chadwick in an able paper he read before the Social Science Association in 1865—

> "He found that while less than one-half of the properties are insured, nearly three-fourths of those burnt are insured. He asked the late Mr. Braidwood how on any doctrine of chances there could be more burnt of insured than of uninsured houses? His answer was—The brigade were regularly occupied in preventing the spread of fires a large proportion of which they knew were wilful. They came to their conclusion from *primâ facie* circumstantial evidence as to the times and modes of the fires, the recency of insurance, the parties named being in debt or straitened circumstances, suspicions as to the quantities of the stock and furniture consumed, full and high insurances of old tumble-down or inconvenient premises, the immediate production of well-matured and complete plans for re-building the premises, which must have been prepared before the fire."

Mr. Payne, the coroner of the city of London, for a time held inquests on fires, and he gave as evidence that he found that 23 per cent of them were clearly wilful, that one-half of the remainder were apparently accidental, and the other part from causes unknown, including suspicious causes. But they were not left merely to surmise as to what would be the effect of having a judicial investigation into all fires. Mr. Humphreys, in his evidence before the Select Committee on Fires in the Metropolis, stated that by a recent decision of the Court of Queen's Bench, that Court has no power to inquire into the cause of a fire unless death has ensued. He stated that the holding of inquests upon fires was revived a few years back by the coroner for the City of London, and immediately after that the fires fell one-fourth in proportion. In several of the cities in America an officer called the fire marshal was appointed, whose duty it was to investigate into every fire, whether suspicion attached to it or not; and he had power to examine witnesses on oath. On the institution of this office about twelve years ago there had been only one conviction for arson during the previous thirty years. There were now on an average fifty arrests and six convictions annually. The salutary vigilance which that officer exercised had been the means of reducing the number of incendiary fires in the half-year ending the 31st of May, 1866, to sixty-one, being twenty-one less than it was in the corresponding six months of 1865. In Baltimore, also, there was a fire inspector, who investigated the cause of every fire, and prosecuted when necessary. For the first eighteen months after his appointment there were 223, or about 149 a year. In six years there was a gradual but rapid decline from that number to ten incendiary fires a year. In France an official inquiry was made into the cause of every fire that occurs in small towns and villages by the local authorities, and a report of the investigation was forwarded to the Procureur Imperial; in the large towns in which were courts of justice, the inquiry was instituted directly by the Procureur Imperial. Strict investigations were made into all fires in Russia, Prussia, Poland, Norway, Sweden, Denmark, Hamburg, and Bremen. In Scotland, within the last two or three months, the Lord Advocate Patton issued a circular to the procurators-fiscal requiring them to institute an investigation into the origin of every fire to which was attached any suspicion, and to satisfy themselves as to the absence of any ground for suspicion in cases of extensive destruction of property or where life had been endangered. The only objection to this investigation was that it was done in private; and therefore it had not the effect of deterring others at a distance from committing the offence. The proper party in England in whom the power of investigating fires should be seated was the coroner. It would be the duty of the Committee to inquire as to the expediency of investing him with this power. The hon. Member concluded by moving for a Select Committee.

Mr. KINNAIRD seconded the Motion. Inasmuch as he understood that no opposition was to be offered to the appointment of the Committee, it was not necessary for him to trouble the House further than to say that inquiries such as suggested would prevent the spread of incendiarism; because at present fire insurance offices were put to such expense in conducting investigations in disputed cases, that rather than enter upon them they preferred to pay the claims.

Motion *agreed to.*

Select Committee *appointed,* "to inquire into the existing legislative provisions for the protection of Life and Property against Fires in the United Kingdom, and as to the best means to be adopted for ascertaining the causes and preventing the frequency of Fires."—(*Mr. M'Lagan.*)

And, on March 27, Select Committee *nominated* as follows:—Mr. Beach, Mr. Agar-Ellis, Mr. Gorst, Lord Richard Grosvenor, Mr. Horsfall, Mr. Kinnaird, Mr. Lanyon, Mr. Leeman, Mr. Lusk, Mr. M'Lagan, Mr. Miller, Mr. Read, Mr. Henry B. Sheridan, Mr. Turner, and Mr. Whitmore.

DIVORCE BILLS.

Select Committee on Divorce Bills *nominated:*—The Judge Advocate, Mr. Headlam, Mr. Bonham-Carter, Mr. Dunlop, Mr. Lawson, Mr. Moncreiff, Colonel French, Colonel Packe, and Mr. Ayrton.

House adjourned at a quarter before Six o'clock.

HOUSE OF COMMONS,

Wednesday, March 13, 1867.

MINUTES.]—Select Committee—On Army (India and the Colonies), Colonel Percy Herbert *added.*

Public Bills—*Ordered*—Inclosure.*

First Reading—Oxford and Cambridge Universities Education * [71]; Inclosure * [72].

Second Reading—Libel [11]; Industrial Schools (Ireland) [17].

Committed to Select Committee—Libel [11].

Committee—Criminal Law [8] [r.p.]; Oyster and Mussel Fisheries * [61].

Report—Oyster and Mussel Fisheries * [61].

Considered as amended—Metropolitan Poor * [66].

LIBEL BILL—[Bill 11.]

(*Sir Colman O'Loghlen, Mr. Baines.*)

SECOND READING.

Order for Second Reading read.

Sir COLMAN O'LOGHLEN, in moving that the Bill be now read the second time, said, that the question of the law of libel was one of general interest; he would therefore trespass a short time on the attention of the House while he explained the provisions of the Bill, and the existing evils he proposed to amend thereby, trusting that he should be able to advance reasons which would satisfy the House that the Bill ought to be read a second time. In the outset he would say that this measure was substantially the same as that he introduced in 1865, which was received with approbation by the press generally, and was supported by petitions from upwards of seventy proprietors of journals, but which he was obliged to withdraw on account of the pressure of business. It was not deemed expedient to re-introduce the Bill last year; but this Session he had taken the earliest possible period of doing so, in order that the subject might be discussed previous to the more exciting debates upon the Reform Bill. Upwards of sixty petitions had already been presented to the House in favour of the measure, and he should show that its principles were founded upon justice, and that it was suited to meet the exigencies of the case. Happily, the question was one which was entirely outside party politics. The time had arrived when neither party sought to influence matters by press prosecutions, and therefore all parties could approach this question and consider it merely in the light of one of law amendment. Before he called the attention of the House to the provisions of the Bill, he might perhaps be permitted to take a short retrospect of the present law of libel. The House was aware that for a long period the law relating to this subject was part of the common law of the land—and, in fact, there was no exact definition of the word "libel." Jeremy Bentham had said that the definition of that word in law was so general that it might be taken to mean anything written of a man of which he thought he had grounds of complaint. The present definition seemed to be anything written which tended to bring any person into ridicule, hatred, or contempt. The law as it stood was entirely opposed to the principles of a free press; and indeed it was a wonder to him how, considering the arbitrary laws which governed it, it could have obtained the position it had in this country. It had, however, not obtained that position entirely without the aid of the Legislature, because, after the trials which took place in the cases of the Dean of St. Asaph and Woodfall, a Bill was brought forward by Fox and supported by Pitt, which was carried, and might be called the Magna Charta of the press. By that Act the power of defining libel was taken out of the hands of the Judges, and such questions were left to the juries. That really was the foundation of the liberty that the press at present enjoyed. But it did not do all that was necessary, for various complaints had been from time to time made with regard to the pressure of the law of libel on the press. A long time the maxim prevailed "the greater the truth the greater the libel;" but happily it was now exploded. It was not till 1843 that the Legislature again interfered; but in that year, in consequence of petitions from the Provincial Newspaper Press Association, a Committee was appointed by the House of Lords, and subsequently Lord Campbell introduced a Bill which became law, and effected a very beneficial change, by allowing the person sued to plead the correctness of a report, that he had inserted an apology at the earliest possible moment, that the report was inserted without malice, and in some cases a justification. That was a very valuable extension of the law, and conferred great privileges upon the press; and the consequence was that no further agitation took place in Parliament upon the subject until 1857. In that year a circumstance occurred which caused the attention of Parliament to be again directed to the subject. In that year an action was brought against Mr. Davison, the proprietor of a newspaper—*The Durham Advertiser*—in consequence of a report which appeared in his paper of the proceedings at a meeting of the Improvement Commissioners at West Hartlepool. To the declaration in that case the defendant pleaded that the report was a correct one, and that no action lay; but on a demurrer the Court of Queen's Bench ruled that the correctness of a report did not remove from the defendant the responsibility of publishing any libel contained in it. On trial the verdict was for the plaintiff, with a farthing damages; but notwithstanding that those damages were merely nominal, the defendant had to bear his own costs, which exceeded £400. This case led to the presentation of a number of petitions to Parliament praying for an amendment of the law of libel; and the House of Lords again appointed a Select Committee and examined witnesses, the object of the Committee being to inquire into whether immunity should be given to persons publishing *bonâ fide* and accurate reports of proceeding of the two Houses of Parliament, of assemblies or public meetings under certain conditions and liabilities. The Select Committee reported in favour of extending protection to *bonâ fide* reports in the former case; and that—

> "Where an action is brought for an alleged libel in the report of the proceedings of a public meeting lawfully assembled for a lawful purpose, if the report be faithful, the jury shall find a verdict for the defendant unless the plaintiff has sustained actual damage."

Lord Campbell, accordingly, in 1858, introduced a Bill to carry out the recommendations of the Select Committee; but it did not pass the second reading, being thrown out by a majority of 35 to 7 votes. The matter again slept until 1865, when he (Sir Colman O'Loghlen) introduced his Bill. The measure now before the House consisted of several distinct subjects. In the first place, it dealt with reports of public meetings; in the second, it endeavoured to fix upon the authors of libels the responsibility now resting upon the proprietors of newspapers for publishing them; and the third point had reference to proceedings on indictments for libel. The alterations the Bill made in the law were undoubtedly of a serious character. It would make the speakers at public meetings liable for any scandalous language they might utter; and so long as the newspaper reporters reported the proceedings accurately, it would relieve them or the proprietors from liability to action. At present any man might get up at a public meeting and attack a man's character, well knowing that unless he imputed to him the commission of an indictable offence, or said something calculated to injure him in his profession or business, he could not be put upon his trial for the words he used, although the newspaper proprietor who reported his words could. In his opinion, a man who went to a public meeting, where he knew his words would be taken down, ought to be as much responsible for what he might say as for what he might write. He knew very well that objections would be raised against alterations in the law of slander—a law which had long existed, and which many would say had been sanctioned by custom and the Judges, and that they could not do so without sapping the very foundations and principles of the law; but with great respect for the opinions of eminent Judges, he would say that it was fitting that the law should be changed in accordance with changes in the spirit of the times, and he thought he could satisfy the House that there ought to be a change in the law so far as to render persons liable for the speeches they chose to make at public meetings. The very principle of the doctrine that there was a difference between libel and slander was that the latter was not so deliberate as the former. But when it was considered that the speakers at meetings were well aware that their speeches were being taken down by reporters and would be published, and that any person animated by malice might go to a meeting to give vent to calumnies with the express object of getting them reported, a state of the law which exempted them from all liability, and fixed it upon newspaper reporters or proprietors, was disgraceful. and ought not to be allowed to continue. This question was raised in the House of Lords when the Bill of 1858 was before it, and both Lord Campbell and Lord Lyndhurst expressed opinions which were in entire concurrence with those he now enunciated. Lord Lyndhurst said—

> "When you come to consider the circumstances attending a public meeting such as I have described, the principle on which the distinction between written and oral slander is made, hardly applies. A man goes to a meeting prepared with a slander. He sees it taken down; he speaks it for that purpose; he knows it will be published. Take, however, another illustration. Supposing I dictate words detracting from the character of another man to a person who puts them down, and I wish him to publish them. In that case I am responsible, and may be indicted for the libel. It is true that in the example we are now considering there is no authority given—no expression of a wish that it should be published. But everybody knows that it is the intention of the speaker that it should be published, and therefore I say the distinction between oral and written slander does not apply to the case we are now dealing with."—[3 *Hansard,* cxlix. 963.]

And the present Lord Chancellor was of the same opinion, because he said there was no real distinction between talking libels in public and writing them for the purpose of being published; therefore, reason and justice alike demanded that he should be made responsible for them. Reporters were too much pressed to weigh and consider the matters which they were reporting with such nicety as to detect libels. Very often they wrote at great speed, and folio after folio of their copy was taken away by messengers and despatched to the printers as fast as they wrote it, so that scarcely any time could be given for revision—and, indeed, they might not even know that what they were writing constituted a libel. Yet they or the newspaper proprietors were made liable. One object of the present measure was to give them the same immunity with respect to correct reports of public meetings as they enjoyed in regard to reports of judicial proceedings. That exemption, which they enjoyed by virtue of a legal decision given some sixty or seventy years ago, was originally confined to trials; but he believed it had been gradually extended to police courts, bankruptcy examinations, and proceedings before other tribunals. He did not propose to give an absolute immunity, but that it should be a defence to an action for libel to plead that the words which formed the subject-matter of the libel were spoken at a public meeting convened for a lawful purpose, open to reporters, and were published without malice, and in the ordinary course of business as a newspaper report; provided always that the newspaper proprietor consented to publish immediately an apology, or any explanation, not of unreasonable length, sent to him by the person aggrieved, in as conspicuous a place in his paper as that in which the libel was published. An objection might be taken to this that men of straw might make damaging speeches, and that if the remedy against the newspaper were abolished, the injured party would have no remedy at all. The speakers, however, would be liable to a criminal information, and greater mischief, he contended, accrued from the present law than would result from the immunity he proposed. It was obviously very important that the public should be furnished with accurate reports of what took place at the meeting of local bodies, invested with taxing and other powers, and at important railway, bank, or other commercial and public meetings. Mr. Baines, in his evidence before the Lords' Committee, said—

> "In large towns public meetings are held almost daily, and frequently several in a day, so as to make it practically impossible for any Editor to read the reports before going to press. Reports are brought in by reporters, very often from distant places, late at night, written out by several different reporters, sent to the printer folio by folio, and sometimes not finished many minutes before the newspaper must be printed and in the post office. This is the every day routine in newspaper offices, both in London and in the country. There is scarcely any kind of meeting where matter is not uttered which by a rigid interpretation of the Law of Libel, especially before its recent improvement, would be actionable. There is, perhaps, scarcely a meeting of the House of Commons at which something is not said that might be actionable, yet the exposures made of evils and wrong-doings are of the highest public utility. If perfect security is required against the publication of libels, the only effectual security is to be found in the censorship of the press. This would, of course, destroy public liberty, and any curtailment of the existing practice of reporting public meetings would strike a severe blow at all kinds of improvement."

And he proceeded to urge on the Committee the propriety of giving protection to such reports, saying—

> "I would further beg to submit to the Committee, that the publicity of the proceedings of public meetings through the press is a very important check on wanton and defamatory statements. I maintain that the press, in this way, prevents and corrects a much greater amount of defamation than it propagates. The very knowledge on the part of speakers that their words will be published, is a check upon them."

It might, however, be said that no actual grievance existed, since actions of the kind he sought to prevent were never brought. The contrary, however, was the fact. Mr. Dobie, the solicitor to *The Times*, stated, in his evidence before the House of Lords' Committee, that two actions had been brought against that journal for reports of speeches delivered in that House—one being for a speech by Dr. Lushington, the present Judge of the Admiralty Court, and the other for a speech by Lord George Bentinck, relative to proceedings which had been taken under an old Act against horseracing. In one of those actions justification was pleaded, and the case never came to trial, but *The Times* had to get rid of the action by paying the plaintiff's costs as well as their own, and the other action was abandoned, but *The Times* was put to a great expense in preparing their defence. He held in his hand a book by Mr. Evelyn, containing a list of such actions which had been brought from the case of "Davison *v.* Duncan," in nearly all of which the jury showed their opinion of the merits by giving only nominal damages, yet in nearly all the newspapers had to pay considerable costs. There was first the case of "Duncan *v.* Davison," in 1857, when the damages being a farthing, the costs were over £400. In the following year there was an action against *The Sheffield Independent*, in consequence of some uncomplimentary allusions made at a trades union meeting, the damages being 1*s.*, and the defendant having to pay his own costs. In 1862 there was the case of "Rogers *v.* Leader," against the same journal, for a report of proceedings connected with the workhouse; and the jury, in that instance, exercising their power under Fox's Act, found that the report was not a libel. In 1864 there occurred the case of "Hood *v.* Cowslade," which was an action against *The Reading Mercury* for a report of the proceedings at a meeting of the Board of Health. In that case the Lord Chief Justice said that, in his opinion, under the law as it then stood, a report of proceedings at a public meeting of an organized body was just as privileged as if the proceedings had taken place in a Court of Justice. The attention of the Lord Chief Justice was called to the Durham case, but his Lordship intimated he did not agree with the ruling in that case, adding that public opinion had advanced so much of late years that he was inclined to say that the press had full immunity in publishing reports of proceedings at public meetings such as he had referred to. In another case, against *The Nottingham Daily Guardian*. It arose out of an electioneering squabble, and was an action for publishing the report of a speech at a public meeting. In this case, although the jury only gave a farthing damages, the defendant had to pay his own costs. In the case of *The Dublin Chronicle*, an action was brought by a Roman Catholic clergyman for a libel contained in a speech made by a Protestant clergyman, and reported in that paper, and the defendant was put to enormous cost in defending himself. There was another case, tried in 1865, in which an action was brought against the proprietors of *The Manchester Guardian* for an alleged libel contained in a report of a public meeting, and a second action was brought against the person who had uttered the libel complained of; but the latter action was withdrawn, and the result of the action against the proprietors of *The Manchester Guardian* was that, on the suggestion of the Judge, a juror was withdrawn; but the proprietors had to pay the costs. He thought that these cases offered sufficient evidence of the existence of a real grievance; and, this being so, the question was how could that grievance be remedied? One proposition he had to make was, that which was made by Mr. Johnson Gedge, the Secretary to the Provincial Press Association, when examined years ago before a Committee of the other House. That gentleman proposed that newspapers should be at liberty to publish reports of all speeches made at public meetings, provided the reports were accurate, and the publishers inserted, if required, a contradiction made by any person complaining of any statement so published, the contradiction, being of moderate length, to be inserted in as prominent a part of the paper as that which contained the original report. The suggestion as to the publication of the contradiction was taken from the French Law of Libel. M. Dupin, having told the House of Commons' Committee that there were few actions for libel in France, was asked—

> "Has a person reflected upon in any periodical publication a right to compel the editor to insert his answer to the attack, and, if so, under what circumstances?—He has the right, in any case in which the attack implies an imputation upon his character, to compel the editor to insert his answer, provided that answer is not more than twice as long as the attack. Thus, if an attack is ten lines, your answer must not be more than twenty. In this case, a journal which would refuse the insertion would be condemned to make it by the courts of justice. Nevertheless, the courts of justice have sometimes sanctioned the refusal of the editor to insert the answer if the answer was offensively couched, although the offence was by way of reprisal either against the editor or against others. Is this provision found of practical utility, and does it operate as a useful check upon slander?—This provision granted by the law is very useful."

Sir Colman O'Loghlen

This provision, then, having been found to have a very beneficial effect in France he (Sir Colman O'Loghlen) believed a similar effect would be produced if it were adopted in England. The main object of the first part of the Bill was therefore to make those who chose to make scandalous statements at public meetings responsible for those statements; and the second object was to give immunity to the press in publishing reports of proceedings at public meetings; but this part of the question was one which he thought might be considered in Committee, and it might be found that the newspapers might be relieved by other means than those which he proposed. Upon this point he was ready to listen to any suggestions or amendments. The second part of the Bill related not only to the press, but to all sorts of actions for libel. It dealt with costs, the most material question in every action for libel. Under the law as it existed in England, unless a plaintiff obtained a verdict for 40*s*. damages he was not entitled to costs; but in Ireland a farthing damages carried costs. The difference in the law as between the two countries was one that, in his opinion, ought no longer to exist; and he therefore proposed that the law of Ireland should be assimilated to that of England in this respect. He also proposed that unless a plaintiff obtained a verdict for damages amounting to £5 or upwards, he should not be entitled to more costs than damages. He had read cases in which Judges had refused to tell the jury what amount of damages would carry costs; but he thought it undesirable that this practice should be followed, because, although it was a legal fiction that all persons should be acquainted with the law, it was very seldom that juries could be found who possessed such legal knowledge; and he was glad to perceive that the Chief Justice of the Common Pleas, in a recent case, had not followed the practice resorted to by other Judges, but had told the jury the amount of damages which would carry costs. At present, where only a shilling or even a farthing was recovered in the shape of damages, although the plaintiff did not get his costs, the defendant had to pay the expense he had incurred in defending the action. In his opinion the press ought to be protected against actions being brought by pettifogging attorneys for costs, or by parties who merely desired to gratify a malignant feeling. It was suggested to the Committee of the House of Lords that if substantial damages were not given to a plaintiff the defendant should not only be freed from the payment of the plaintiff's costs, but should have his own costs paid by the plaintiff. Mr. Johnson Gedge, the proprietor of *The Bury Post,* and other witnesses, had urged that the defendant should have his costs paid where the proceedings against him were shown by the verdict to have been vexatious or malicious. In the Bill he (Sir Colman O'Loghlen) brought in in 1865 he had proposed that where a plaintiff only obtained a verdict for 20*s.* damages, he should not only not be entitled to costs, but should pay the costs of the defendant, and he only gave the plaintiff costs where he recovered 40*s.* Since then he had found that there were several objections to the proposal that the plaintiff should pay the defendant's costs where he had recovered any amount of damages, and he now proposed to effect his object in a different way. His present proposition was that, as in other cases, the defendant in an action for libel should be at liberty to pay money into court; and if the jury considered the amount so paid into court sufficient to cover the injury, the defendant would be entitled to costs from the plaintiff. At present he could only do so under Lord Campbell's Act, where he pleaded a full and ample apology. The course he proposed was that in most actions *in tort,* and he thought it might be beneficially adopted in actions for libel. Furthermore, he proposed that where money was paid into court, and was not accepted by the plaintiff in discharge of his action, the plaintiff should not be allowed to proceed unless he gave security for costs; the newspaper proprietor who defended was already bound to give security to the Crown on the establishing of his paper, for any damages that might be awarded against him, and it would be no hardship to require the plaintiff to give a similar security. The third part of the Bill related to indictments or prosecutions for libel. At present there were three courses open to a party libelled: he could bring an action, he could file a criminal information in the Queen's Bench, or he could indict the publisher or writer of the libel. If an action were brought, the defendant stood on tolerably equal terms with the plaintiff: he could plead justification, could himself be examined as a witness, and, in case of obtaining a verdict, he could recover costs from the plaintiff. In the case of proceeding by criminal information no one could file such an information without leave of the court, so that there was a check against vindictiveness; but there was no check against procedure by indictment. In criminal information or indictment, moreover, the defendant stood in a very different position—he could not offer himself as a witness—his mouth was stopped, and though he might plead that what he had stated was true, and that the publication was for the public benefit, he could not be called in support of his plea, although very probably he was the only person able to establish it, course could be resorted to for purposes of oppression or to gratify malignant feelings. Again, where a man was indicted the Crown had power—though that power was now restrained by public opinion—to pack a jury; but the plaintiff in an indictment for libel could use this power, inasmuch as the prosecutor stood in the position of the Crown; and an instance in which the attempt to do this had been made had occurred in the sister country, but it drew from the present Chief Justice of Ireland, then Mr. Whiteside, so strong a remonstrance that the Judge interposed. The system was liable to the greatest possible abuse, as was exemplified in the case of Sir Robert Clifton, who had been summoned before police magistrates for a libel alleged to have been contained in a letter he had written; and in the case of the proprietors of *The Railway Times and Chronicle,* who were summoned to appear at Bow Street for having inserted in their paper letters reflecting on the management of the directors of the South Eastern Railway Company, those letters having been written by Mr. J. J. Hamilton, a shareholder in the company to the extent of £33,000. In Scotland the right of criminal prosecution in cases of libel practically did not exist, or had become obsolete. There was another inconvenience in the existing law, which was that a person indicting another for libel was not liable for costs himself, unless the defendant pleaded and proved, under Lord Campbell's Act, that what he had published was for the public benefit. He had originally proposed to do away with procedure by indictment in libel cases in this country; but on reflection he saw that cases might arise in which it would be desirable that a larger power of punishment than that of awarding damages should be retained; and his present proposition was therefore that no indictment for libel should be sent into court without the consent of the Attorney General, or, in case that office were vacant, of the Solicitor General. He also proposed that on a trial by indictment or information for libel, the defendant might offer himself as a witness. The fourth part of the Bill simply proposed a short form of pleading justification, so that the pitfalls which were at present due to the technicalities of the law might be avoided. But in order that the plaintiff might not be injured by the use of a plea which might be regarded as of too general a nature, he proposed to give him power to require a bill of particulars. Furthermore, he proposed that the Bill should not extend to Scotland. In conclusion, he had only to say that in his opinion the best protection against the licence of the press would be found in having the press conducted by respectable persons, and anything which tended to expose the proprietors of newspapers to needless and vexatious proceedings was calculated to discourage such persons from retaining their connection with the press. He was not prepared to say that every provision in the Bill ought to receive the sanction of the House, but he was perfectly willing to have it amended in Committee.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*Sir Colman O'Loghlen.*)

THE SOLICITOR GENERAL: I do not rise to offer any opposition whatever to the second reading of this Bill. After hearing the statement of the hon. and learned Gentleman I think that it will be in many respects a highly beneficial Act if it passes: but there are several matters in it which will require care and consideration, either before a Select Committee or in Committee of this House, because I think it will be found that there are very great powers given to the press by the Bill, and it is a question whether those powers are not larger than the hon. and learned Member intended. Let me call attention for a moment to the case that was mentioned by the hon. and learned Gentleman, that of "Davison *v.* Duncan," which was decided against *The Durham Advertiser*, for commenting on the proceedings of the West Hartlepool Commissioners. The decision in that case was the occasion of Lord Campbell's Bill in 1858. That Bill, which was in some respects similar to that now before the House, but differing from it in some material particulars, was thrown out on the second reading by the House of Lords, in consequence of the difficulties felt by some noble Lords as to the extent to which the privileges of the press ought to be carried. In commenting on the case of "Davison *v.* Duncan" Lord Campbell said—

> "The inconvenience arising from the chance of the injury to private character is infinitesimally small as compared to the convenience of publicity. But it has never yet been contended that such a privilege extends to a report of what takes place at all public meetings. Even if confined to a report of what was relevant to the object of the meeting, it would extend the privilege to an alarming extent. If this plea is good, a fair amount of what takes place may be published, whatever harm the publication may do to private character, provided it took place at a meeting of a public nature—a wide description, embracing all kinds of meetings, from a county meeting to a parish meeting."

Those were the observations made by Lord Chief Justice Campbell in the case referred to; and I would ask the hon. and learned Member—not for the purpose of impeding the progress of his Bill, but in order to prevent its being wrecked either here or elsewhere—that some more careful definition of a public meeting than that contained in the 1st clause should be hereafter framed. I find the definition of a public meeting in the 1st clause is "any public meeting lawfully assembled for a lawful purpose." That, in the words of Lord Campbell, is extending the liberty in a rather alarming degree, more especially since, as was pointed out by Lord Lyndhurst in the debate on the Bill in the Upper House, in a great many cases people go to a public meeting for the purpose of uttering slander. And although under the 2nd clause these persons are made liable for any injury done to the person slandered, yet they are frequently persons against whom it is useless to bring any action at all, and the real injury is done by the circulation of the slander in the newspapers. So far, however, as I have been able to give attention to the Bill and to the statement of the hon. and learned Gentleman, I think that the second clause will work extremely well. It has been urged that slander and libel are not by the law put upon the same ground—that the person uttering slander usually does so in the heat of the moment, and that the effect is fleeting; while the words used in a libel deliberately published are intentionally used, and are of a very different character from words used in the heat of the moment. I cannot, however, help thinking that the observation made by Lord Lyndhurst in the debate in the House of Lords is perfectly true—that a man who goes to a public meeting to make a statement makes it with a deliberate intention, and with a full knowledge of what it comprehends. I cannot see, however, why that man should not be liable to an action, or to any other proceeding for libel, just as if he had published the libel, and circulated it. I will not detain the House by going through the different clauses of the Bill; but that which refers to paying money into court I think will be fair and useful. I would suggest, however, that in Clause 6, providing that unless the jury shall give damages exceeding £5 the plaintiff shall not be entitled to more costs than damages, it would be well to add words to the effect—"Except the Judge should think that the action was one which ought to have been brought, and that costs ought to be awarded." With regard to the practice of some of the Judges in declaring what amount of damages carry costs, it differs in various Courts; but I cannot help thinking that it would not be inconvenient if the jury always knew what damages would carry costs. I cannot quite agree with the hon. and learned Gentleman that everyone is expected to know the law, although there is an old legal maxim that ignorance of the law is no excuse. I recollect that a very learned Judge, Mr. Justice Maule, who is now dead, said that if it were supposed that every one was acquainted with the law the Judges of the land were exceptions; because in a writ of error it was always set forth that there were manifest errors in the judgment. The clause requiring that no prosecution for a libel shall be brought except with the sanction of the Attorney General will also require to be considered in Committee. I do not think that my hon. and learned Friend the Attorney General would shrink from performing a public duty; but this difficulty must arise, that a case would go before the jury with a certain amount of sanction to the prosecution if the Attorney General had given his consent to its institution; and, in the next place, the clause was open to the objection that it would not be easy, without some proper machinery being provided, to enable him to do so, for the Attorney General to determine accurately whether the case is one in which there ought to be a prosecution. The 8th clause of the Bill, which enables a defendant at the trial of an indictment or information for libel to offer himself or herself as a witness, and also enables the husband or wife of a defendant to be examined, has my unqualified approbation. Since the passing of the Common Law Procedure Act the practice has prevailed under its sanction of pleading generally in actions of libel that the alleged libel is true; but any difficulty arising from this is removed by the provision that a bill of particulars of what is intended to be relied upon by the defendant shall be given in all cases where it is desirable it should be given. With regard to the clause in which it is proposed that security for costs should be given by the plaintiff, I did not quite follow the hon. and learned Gentleman's reasoning; but it appears to me that all the parties ought to be put upon the same footing in that respect. I have made these remarks in order that they may receive the hon. and learned Member's consideration, and not with any view of opposing the second reading.

MR. NEWDEGATE said, the Bill had been introduced as a Bill in the first instance to promote the freedom of the press. It was the practice of hon. Gentlemen on the opposite side of the House, the hon. Member for Leeds especially was wont to laud the press of this country, and to compare the cheap press with that of the United States, drawing a just comparison in favour of the higher tone that prevailed in the cheap press of England. Now, if under the present state of the law the public press of the country was marked by a high tone, he thought that the House would not lightly regard any proposal to alter the law under which that press existed. The hon. and learned Member (Sir Colman O'Loghlen) had laid great stress upon the injustice of leaving the proprietors of newspapers liable to be prosecuted for defamation; but the probability was, that the responsibility which at present attached to the proprietors had done much to create the present high tone of English journals. The man who undertook a risk under securities for his good conduct was likely to be a man of higher character and position than a person placed under no such moral and practical restraint. This Bill, in the first instance, purported to widen the freedom of the press; but how would it affect the freedom of individuals? One peculiarity of our legislation of late years had been that it had enormously increased the liberty and power of associations, but it had done very little for individual freedom. Formerly from the other side of the House proceeded eloquent vindications of individual freedom; but now they heard nothing from that quarter but appeals for the extension of the freedom and power of associations. The hon. and learned Gentleman proposed that individuals who made statements at public meetings which might be supposed to be slanderous or libellous should be liable—for what? Not for the words spoken by them, but for words reported. He was happy to say that reliance could generally be placed on the accuracy of the reports of the speeches which were delivered in that House, and of what was said out of it; but then it must be remembered that reporting was at present under the restraint that operated on the proprietors of newspapers. A reporter must be a highly educated man, and it was well known that many of them were persons of the highest possible attainments, and some of them were members of the legal profession. Reporters were better judges of what constituted a libel than a person who spoke under excitement at a public meeting. When a man uttered a libel in the heat of discussion at a public meeting there existed the means of correction, for the statement might be immediately contradicted;—the slander might be answered on the spot; and he had known many instances in which that had taken place, even where the meeting was notoriously packed. But how did the grievance arise? Why, by the publication of the report; because the report reached the public far beyond the meeting at which the slander was uttered. The grievance was therefore far more in the publication than in the utterance of the slander? It might be almost impossible for the person libelled to reach the author of a slander, if the publisher of it was to have perfect indemnity. No man valued the freedom of the press more sincerely than he did, but he saw danger in the proposed alteration. We had a press which deserved all the encomiums that had been passed upon it; but there was a difference between freedom and licence, and if they removed all responsibility on the part of the publisher, in his opinion they would open the door to a class of newspaper proprietors lower than the present. They might depend upon it, that freedom was not an accident, but a privilege which could only exist by being preserved within due restraints. He loved freedom. Tory he was; no one could show him the occasion on which he did not defend freedom. But they should not forget that freedom—that liberty generally perished by its own excess. Therefore was it that he looked with much suspicion on the principle of this Bill, and trusted that if the Bill passed a second reading that it would be referred to a Select Committee; or that else the Committee of that House would thoroughly investigate and consider the various principles contained in it, so that whilst endeavouring to extend, they might not destroy, the freedom of the press. It would be difficult to preserve individuals from abuse that might arise from the licence of the press, if there was no law to prevent the conductors of newspapers from putting reports into the mouths of speakers which were totally inaccurate. That reporters should be perfectly accurate was impossible. It would, therefore, be a great hardship that any speaker should be liable to an action for a false report. A free press was one of the most powerful instruments for preserving individual and collective freedom; but, if it were under restraint or in the hands of a Government, it might be a most effective means of tyranny. He (Mr. Newdegate) looked with the greatest suspicion on the clause which proposed that a Government officer should decide whether an indictment would lie or not, instead of that primary act of jurisdiction being left to the proper tribunals of the country. Let them look across the Channel, and take warning from the position of the press in France and in Spain. In those countries the press was used against the people. They could not be too careful of the manner in which they dealt with the law which wholesomely regulated the press, whilst at the same time it preserved its liberty, lest both the law and the press should degenerate from their high tone and character. He had spoken strongly; but he objected to the principle of the measure, on the ground, first, that he saw in it danger to the freedom of discussion; secondly, to the freedom of individuals; and ultimately, he feared, by encouraging excess, to the freedom of the press itself.

Mr. BUXTON said, there were two evils which the hon. Gentleman the Member for North Warwickshire chiefly appeared to dread; but these were carefully provided against by the Bill. The first was, that libels might be put into the mouths of speakers by the reporters; but the Bill declared that unless the report was a faithful one the paper publishing it should not be protected. Again, that hon. Member said that if a man uttered slander at a public meeting another speaker might get up and answer him, but the libel would still be published in the newspaper. Well, the same protection was afforded by the Bill in the case of a libellous report, because it expressly required that the answer sent to the editor by the person aggrieved must be inserted in the newspaper in which the report had appeared. The hon. Gentleman had told them to look at the press of France and Spain, and certainly the more they looked at it the less they liked it; but what had happened in those countries did not, he thought, justify them in placing our own press under oppressive restrictions.

MR. THOMAS CHAMBERS agreed with the hon. Member for North Warwickshire in thinking that the utmost care was required in dealing with this subject. There was no conceivable engine capable of being employed for the purpose of inflicting wrong on private character comparable in power to the press, and its power had for many years been increasing in a geometrical ratio by reason of the immense multiplication both of newspapers and of their readers. At a public meeting a man might, in the heat of debate, say something which it would have been better to leave unsaid, but it passed away like breath in a moment, and the wound was soon healed —if, indeed, any wound was given at all, for the person concerned might not be present. But the mischief done by those fleeting words, evanescent as it would probably be, was made permanent when they were circulated far and wide by a newspaper published and sold for a profit. Before they removed the present restraints it was necessary first to prove there was a grievance. He did not think that it had been proved that there was. He agreed in all the compliments that had been paid to the press; he would bear personal testimony to the admirable manner in which, as a rule, the press of this country was conducted; but it was worthy of consideration whether its high tone was not due — partly at least—to the wholesome restraints of our law, and whether it was desirable to relax those restraints upon so formidable an instrument both of good and of evil, merely because some newspaper proprietor, who was generally a rich man, might now and then be brought into a court by some not very worthy individual to answer for an alleged libel. Let them diminish the securities under which the freedom of the press was exercised and they would open a door, which they might not afterwards be able to close again, to dangerous excesses. He did not know whether the representatives of the press generally complained of any grievance in this matter, or whether they had petitioned that House to relieve them from any alleged unjust or oppressive operation of the present law. If that were so, no doubt the question should be brought before the Legislature. But the first part of this Bill required the gravest consideration, depriving a man, as it did, of the right to sue for the redress of a wrong done to his reputation, which was, in most cases, a far greater injury than an assault upon his person. The provisions of the second part of the Bill were, he thought, excellent. As to the third part, he agreed with the Solicitor General that it ought not to depend on the will of a Government officer whether or not one man should be entitled to indict another for libel. Supposing one person published a gross libel on the character of another in order to extort money. [An hon. MEMBER: That case is excepted from the measure.] He was glad that it was excepted; but there were many other motives for publishing gross libels equally wicked, and he could not see why a man should not have as free a remedy in a court of justice where his reputation was assailed as he had when violence was offered to his person.

MR. ROEBUCK said, that it appeared that no one had any objection to fix the liability for a slander uttered at a public meeting upon the speaker; but great objection was entertained to relieving from responsibility the proprietor of a newspaper in which it might be reported. Whatever the hon. Member for North Warwickshire (Mr. Newdegate) said, he said in so solemn a manner that they became alarmed; the bias of their minds was disturbed by the solemnity of his utterances. Let them, however, look at this question like men who were not terrified out of their wits. Who was most likely to bring an action against a newspaper? Was it the honest man? Certainly not.

An honest man against whom a libel had been published would go to the proprietor of the journal in which it had appeared, and say, "I have been libelled. Give me the opportunity of stating the facts of the case;" and if the newspaper refused to publish his answer, it would still, under this Bill, be liable; but if it inserted the answer, and afforded the person libelled the means of defending himself, it would not be liable. But what did the dishonest man do? He rushed to an attorney, who at once wrote to the proprietor of the paper for the name of his solicitor, in order that he might serve process, and, without asking for any explanation or contradiction of the false statement, immediately commenced proceedings. If the newspaper proprietor offered to insert an apology, the pettifogging attorney would say that that was not the time; they must wait. The meaning of this was, that they were to wait until costs had been incurred, otherwise, he would get no pickings, no fees, no bill. When, however, the matter came on for trial, he was "quite open to an arrangement." That meant that the poor unfortunate newspaper proprietor should make an arrangement by which he should pay all the costs. What possible harm could happen to society from the passing of this Bill? That was the real question for the House to consider. He had heard a great many platitudes uttered in laudation of the press, and he could not altogether acquit the hon. and learned Member for Marylebone (Mr. Thomas Chambers) of having uttered some against it. The hon. and learned Gentleman had talked about its terrible power. What was the meaning of that? Why, it meant a terrible good. Then the hon. and learned Gentleman said that publications had enormously increased, and not only that, but so also had their readers. What did that imply but that the greatest possible advantage was derived by the public from the press? In the very remarkable evidence given by the hon. Member for Leeds (Mr. Baines) before the Committee of the House of Lords on that subject, there was an enumeration of the various classes of public bodies the proceedings of which the newspapers were accustomed to report. There were—"1, both Houses of Parliament; 2, Courts of Law and police courts; 3, municipal corporations, and bodies of commissioners for objects of local administration, protection, and improvement; 4, Poor Law guardians; 5, vestry meetings; 6, Parliamentary, municipal, and other elections; 7, meetings of magistrates for county and other business; 8, county, borough, or parish meetings convened by sheriffs, mayors, or other authorities; 9, meetings of public charities, or institutions benevolent, educational, reformatory, and religious; 10, public meetings to promote political, legal, and social reforms; 11, meetings of mechanics' institutions, and philosophical societies, the Society of Arts; 12, public lectures like those on the supply of cotton, adulteration of food, &c.; 13, meetings of railway proprietors; 14, meetings of banks, and other joint-stock companies; meetings of Chambers of Commerce." Was there not immense advantage to the public in the reporting of these meetings? And how was it done? It was done by reporters, whom the hon. Member for North Warwickshire (Mr. Newdegate) himself admitted must be educated men, and whose only desire was to give faithful reports of what took place. These reports the editor of a daily paper had no time to revise. He must therefore either exclude all accounts of such proceedings, or run the risk that in some rare instances the malignity of some individual might do injustice to the character of another. But, even if such a thing occurred, the very weapon that inflicted the wound healed it the day after the slander had appeared—the very journal which had circulated would give equal publicity to its contradiction, and therefore no mischief was done to an honest man. Under these circumstances, the House would not have much difficulty in assenting to the second reading of this Bill. When the Bill got into Committee, every clause ought to be carefully considered; but the measure was not one to be referred to a Select Committee. Did the hon. Member for North Warwickshire think that was the first time that that question had been considered? Why, it had long been under consideration, he might almost say for centuries; all their great writers had given their opinion upon the matter, and it was now ripe for decision. The House should decide it on its own responsibility, and when it had done so he thought they need fear no danger to society.

Mr. BAINES said, it seemed to him that that was a case in which there was a claim the most irresistible for plain justice to the most important institution of this land—namely, the press. Gentlemen connected with the press were now liable to heavy punishment for not doing that which it was notoriously impossible that they should do—that was to say, for not examining reports, often brought in at the last moment before publication, in order to eliminate from them whatever might be defamatory. It was said that slander ought to be punished. He admitted it; but who was the slanderer? The hon. and learned Member for Marylebone (Mr. Thomas Chambers) argued that it was not the utterance by the voice that did the mischief, but its publication in the newspapers. He said No: the man who first uttered it first published it to the world. It was true a report of what was said was printed, perhaps on the following day; but one very important consideration must be borne in mind—namely, the effect produced upon what was said at a public meeting by the known fact that the speeches to be delivered there would be published. The man who uttered a speech knew that it would go to all the world, and he therefore measured, regulated, and moderated the statements which he made. But that was not all. It was quite possible that a libellous statement uttered at a public meeting might be distorted and magnified to such a degree as to do infinitely more harm than if the actual words were given. But the following day the actual words were known. Then the man who had been libelled came forward, sent a statement for the correction of that libel to the newspaper, that statement was inserted, and thereby the evil that had been done was redressed. Without the newspaper they could not have that, because that which had gone forth on the wings of rumour they could not identify or refute; but when it appeared in the press, they could ascertain what it was and refute it. The proceedings of public meetings, then, were immensely modified and improved by the knowledge that they would be published to the world, and by the fact that they were published by men who had no malice, and no other interest in the matter except to give correctly to the world what was said. Those men were not the guilty parties. The Legislature chose to punish, not the man who uttered the slander, but the man who published it. That reminded him of the ancient Persian law under which great persons were not punished, save by proxy, for their errors. Cyrus was too great to be punished, and therefore they had whipping boys as deputies. The condition of the proposed exemption—namely, that the newspaper should be required to publish a refutation of the libel which it might have been the innocent means of circulating—the proprietors of newspapers were willing to accept. He believed that many proprietors of the provincial press had petitioned for the adoption of a measure like the present; and he was glad to find, from the very liberal speech made that day by the Solicitor General, that there was now every prospect of an absurd and unjust state of the law relating to the press being at length remedied.

Mr. MILNER GIBSON said, that as the House seemed willing to accord a second reading to the Bill, he would not make any remarks on the principle of the measure. But there was a point of some importance raised by the learned Solicitor General on which they ought to have some clear understanding. That hon. and learned Gentleman said that, although prepared to give newspaper proprietors an immunity from prosecution in certain cases, he thought it would be necessary to define very carefully those public meetings in regard to the speeches delivered at which the proprietors of newspapers should enjoy an immunity for the publication of faithful though slanderous reports. Now, for himself, he believed it would be found extremely difficult to have any other definition than that contained in the first clause of that Bill—namely, that the exemption from liability should extend to the reports of all speeches at all public meetings lawfully assembled for a lawful purpose. He spoke with the more confidence on that subject because, when the matter was brought some time since before the House of Lords, a clause was introduced into the late Lord Campbell's Bill laying down precisely what were the kind of meetings the reports of which should be privileged. Lord Lyndhurst objected to the definition then proposed, and actually suggested the very words used in the present Bill—namely, "any public meeting lawfully assembled for a lawful purpose." That definition seemed to be accepted at the time as the best that could be devised if the thing was to be done at all.

Sir GEORGE BOWYER said, he entirely concurred in the part of the Bill which brought slanderous expressions used at public meetings within the law of libel. At present what a man said against the character of his neighbour at a public meeting was actionable only if it came within the law of slander, which was of a very narrow description; but if he said anything which, if written, would be actionable, but which was not actionable if spoken, he was entirely exempt from responsibility. That was a great abuse, because the man who spoke slanderous words knew perfectly well that there were other persons present who were writing them down. Therefore, as he spoke the words knowing that they were going to be published, he ought to be liable the same as if he wrote them with his own hand. But he (Sir George Bowyer) felt considerable doubt whether a paper publishing slander ought, in every case, to be exempt from responsibility. The editor of a respectable paper not only ought to, but did exercise, he believed, a certain discrimination in publishing the reports of speeches, and if he saw anything in a speech that was decidedly of a slanderous nature, and which ought not to be published, it was his duty to hold his hand, to take care what he did about it, and refrain from publishing attacks upon private character. It might be said there was no occasion to make the newspaper editor or proprietor liable, because the remedy ought to be against the person who uttered the words at the meeting. But the injured person might not always be able to find the actual utterer of the slanderous words, even though his name might be given in the newspaper. Under those circumstances, the remedy against the man who spoke a slander might be, in many cases, insufficient. Even if he were discovered, he might be found to be "a man of straw," against whom it would be absurd to bring an action, inasmuch as he would be unable to pay damages in the event of the verdict being against him. But then it was said that the proper remedy for an honest man to have recourse to was to apply to the editor of the newspaper in which the slander was published, and to call upon him to contradict it. It must, however, be borne in mind that a great many persons might read the slander who might never see the contradiction, and who, even if they did see it, would not be disposed to attach to it much importance. Besides, people would rather read a slander than a refutation. It was once said by a witty French writer—he believed Madame De Sevigné—that some person to whom reference was made had so little credit for telling the truth that no one would believe him even though he were to speak ill of his neighbour. It was clear that slander was a thing which found very ready acceptance; and he (Sir George Bowyer) was afraid that in the cases in which contradictions were published in a newspaper, there would be some persons who would not look upon the denial as a sufficient proof that the slander was without foundation, He therefore was of opinion that it was right the proprietors of newspapers should be placed under some sort of restraint with regard to the publication of matter tending to involve private character, and that they ought not to be absolved from all responsibility for such publication, even though the slander were originally uttered by a speaker at a public meeting. That, however, was a point which could be discussed in Committee, and he hoped it would receive due consideration, for the publishers of newspapers wielded such enormous powers that it would lead, he was afraid, to great inconvenience if they were to receive the complete immunity which was proposed.

Mr. SYNAN said, that newspapers were under a necessity to report the proceedings of public meetings lawfully constituted, and they were therefore, he thought, entitled to some protection. Freedom of the press in this country was not, as had been advanced, a matter of privilege, but a matter of right.

Mr. HENLEY said, that as at present advised, he could see no objection to the 1st clause of the Bill, which exempted, under the conditions stated, accurate reports of public meetings. Upon the 2nd clause he should withhold judgment, as he was not at present disposed to assent to making words spoken subject to the law of libel. That clause required serious consideration, as they all knew the great difficulty of proving the exact words uttered, and the temper and tone in which they were uttered. They also knew something about standing on public hustings. Strong language was there used sometimes. Was a man who used strong language on the hustings to be liable to an action for libel? That part of the Bill, however, could be dealt with in Committee, although he confessed that at present he did not like the clause. To extend the law to words spoken was taking a great step, and he believed that on the whole it would lead to more inconvenience than the contrary. He saw no harm in absolving the press if the answer to the libel appeared in the same part of the paper. It was an immense advantage to have everything published, and they might go a little out of their way to relieve those who were at the expense of publishing from penal consequences.

MR. WALPOLE rose merely, in consequence of the observations of his right hon. Friend and of the learned Solicitor General, to suggest the advisability, in order that the wording of the two clauses referred to might be put into the best shape for discussion in Committee, that after the second reading of the Bill it should be referred to a Select Committee, where the clauses could be better dealt with.

SIR COLMAN O'LOGHLEN agreed that it would be better to remit the consideration of these clauses to a Select Committee at once.

Bill read a second time, and *committed* to a Select Committee.

And, on March 20, Select Committee *nominated* as follows:—Mr. Secretary WALPOLE, Mr. SOLICITOR GENERAL, Mr. MILNER GIBSON, Sir ROBERT COLLIER, Viscount AMBERLEY, Mr. HENLEY, Mr. LOWE, Mr. LAWSON, Mr. ROEBUCK, Mr. SANDFORD, Captain GRIDLEY, Mr. SULLIVAN, Mr. BAINES, and Sir COLMAN O'LOGHLEN:—Five to be the quorum.

INDUSTRIAL SCHOOLS (IRELAND) BILL.

(*The O'Conor Don, Mr. Monsell, Mr. Leatham.*)

[BILL 17.] SECOND READING.

Order for Second Reading read.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The O' Conor Don.*)

MR. PEEL DAWSON, in moving that the Bill be read a second time that day six months, said, he thought the measure was an unwise and inopportune proposal for extending the Reformatory Schools Act, and ought to be regarded with a just sense of suspicion and distrust, because it would have the effect of encouraging sectarian education in Ireland, which it had been the avowed policy of Parliament for the last thirty-five years, and of every successive Government during that period, to restrain and discourage, so far, at least, as assistance from the public purse was concerned. He regarded this Bill as an underhand attack on the national system of education in Ireland, which, though it had many faults, had been the means of diffusing a better system of education throughout the country than any other system was likely to attain. It behoved Parliament, therefore, to take care that no underhand blows should be dealt against it. It might be in the recollection of the House that in 1861 a very similar measure to this was introduced by the hon. Gentleman who now represented the city of Cork (Mr. Maguire); but with this difference—that whereas in that Bill the charge for supporting the schools was laid on the poor rates, by the present Bill it was transferred to the county cess. He (Mr. Peel Dawson) felt it his duty to give that Bill his opposition; and it met with so little favour from the House that it did not receive a second reading. Under its operation the fourteenth provision of the English Act would be extended to the sister country, and therefore any children under the age of fourteen who might be found begging might be clothed, fed, and educated at the public cost. No better mode, he maintained, of holding out a premium to vagrancy than the establishment of such a system could well be devised. It would also furnish a dangerous temptation to parents to repudiate all responsibility in the care and nurture of their children by making a declaration simply before a magistrate that they were unable to control them. He could discover no security against the uncontrolled expenditure of public money. The Bill was all the more untimely, in his opinion, because the late and present Chancellor of the Exchequer had promised that the educational expenses in unions, and the salaries of teachers should henceforward, as in England, be made a charge on the Consolidated Fund. He objected to having such a measure pressed to a second reading in the unavoidable absence of the Chief Secretary for Ireland and the Irish Law Officers. He learnt from a petition which had been presented to that House, that instead of paying 15*d.* a week for a pauper child, as at present in most unions, the county charge, if the Bill passed, would be raised to 5*s.* a week for every child who might be kidnapped into the proposed schools in certain parts of Ireland. He doubted not that most of the unions in Ireland would declare their opposition to this measure. He feared that the provisions of this Bill would be made use of for purposes of proselytism, and he could not assent to a Bill which, in his opinion, would tend to such a breach of the principles of Christian charity. The adoption of this Bill would increase and aggravate the disputes which were continually going on, and which caused so much rancour among ministers of the different religious sections in Ireland, especially in reference to foundlings and the offspring of mixed marriages. The difference between the relation of the religious bodies in Ireland and in England prevented a fair analogy being drawn between them. He contended, moreover, that Ireland was already overschooled, and that no sufficient time had elapsed for testing the principles that had been applied in the same direction in England. The feeling of the Protestants of the North of Ireland was opposed to this measure, and such opinions were entitled to receive the attention and consideration of the House, and the Presbyterian Church there wholly protested against it. He had received a letter from an eminent professor in the Presbyterian College at Londonderry, in which he said that the establishment of this system in Ireland would bring about an educational revolution; that the design of its promoters was to substitute sectarian for united education, and to obtain greatly increased endowments for the promotion of the sectarian system; and he remarked that the Irish system of education differed entirely from the English, and that it was not advisable to follow up the English precedent. Resolutions were also passed at a meeting of ministers in the synod of Omagh, County Tyrone, in opposition to this attempt to further sectarian education, which it was contended would entirely supersede the national system in Ireland, and which was calculated to cause alarm to the taxpayers of the country. He agreed in the opinions thus expressed, and foresaw that if this Bill were passed into a law it would be turned into an instrument of religious discord and of possible proselytism.

Lord CLAUD HAMILTON seconded the Amendment.

Amendment proposed, to leave out the word "now," and at the end of the Question to add the words "upon this day six months."—(*Mr. Peel Dawson.*)

Question proposed, "That the word 'now' stand part of the Question."

Mr. KNATCHBULL-HUGESSEN said, that as it had fallen to his lot to prepare and introduce the English Reformatory and Industrial School Bills last year, which were adopted by the right hon. Gentleman (Mr. Walpole) and subsequently became law, he wished to say a few words upon the subject. The non-extension to Ireland of those Bills had not arisen from any doubt on the part of the late Government that the principles which had proved so beneficial to England were equally applicable to the sister country. But the Irish Reformatory Act had been passed subsequently to the first English Act, and was a separate measure with some separate provisions, and it was thought better, in the first place, still to keep the Acts separate, and, in the second place, as it was positively necessary to renew the English Industrial Act which was about to expire, it was deemed better to introduce as little as possible that might give rise to controversy, and possibly delay the passing of that Act, introduced as it was, of necessity, at a late period of the Session. From the speech of his hon. Friend opposite, the House would imagine that the Irish Reformatory Act must have already proved injurious to the system of National Education in Ireland. But what was the real state of the case? That Act was passed in 1858. He believed there were now nine Reformatories in Ireland. But since the date of that Act the National schools in Ireland had increased more than 1,000 in number, and the number of children on the school-rolls had increased more than 300,000. At the close of the year 1865, there were 6,372 schools in operation, with upwards of 900,000 children on the rolls, and an average daily attendance of more than 320,000. How could any one say that the reformatories have injured the system of National Education? But if this was not the case, what evil was likely to result from the extension to Ireland of the Industrial Act? This Act was for the prevention, as the reformatory was for the cure, of juvenile crime. The classes of children to be dealt with under the Act were these (with a limit as to age)—1, children accused of an offence punishable with imprisonment, who have not been previously convicted of felony; 2, children found begging in the street; 3, children without home or proper guardianship; 4, refractory children in workhouses; 5, children whose parents represent that they are unable to control them. Now, what percentage of the 900,000 children on the rolls of the Irish National Schools did his hon. Friend think would come under any of these denominations? The truth was that the reformatory and industrial schools aimed at a class of children different from that which supplied the National schools; they were children who would not be reached at all without these schools. No doubt there were difficulties in the system—there always must be difficulties where you engraft State assistance upon voluntary management — but the good far preponderated over the evil. With respect to the objection that the Bill was proceeded with in the absence of the noble Lord the Chief Secretary for Ireland (Lord Naas), he could only say that if his memory served him right, that noble Lord had expressed his approval of the Reformatory Act when it was introduced, and there was no reason to doubt his approval of the present Bill. He (Mr. Knatchbull-Hugessen) had heard with much pain the observations of his hon. Friend opposite, upon the subject of proselytism. Why make it a question whether these unfortunate children should be educated as Protestants or Catholics, when the real question was, whether they should be educated at all? Besides, whenever the question of the Established Church in Ireland was mooted—a question upon which the House would probably hear a great deal more before long—we were always told that although the great majority of the Irish people were Roman Catholics, the vast proportion of the property in Ireland belonged to Protestants. If that was the case, were they to suppose that Protestants were so dead to the interests of their religion, that they would not provide Protestant industrial schools, rather than suffer the Roman Catholics to possess a monopoly of these institutions? For his own part, he confessed that he did not envy the man who would refuse to allow these children to be taught morality, for fear that morality should be inculcated by teachers of a creed differing from his own. It would be a happy day for Ireland when Roman Catholics and Protestants should learn to march forward on their own way, without continually seeking to jostle one another upon the road. But until that happy day arrived, at least do not let the House choose such a question as this for the battle-field of religious differences—a question of rescuing the outcasts of society from sin, misery, and degradation, was surely a question of all others upon which men of all creeds might forget their differences, and endeavour to meet and to agree to act together upon the grounds of common patriotism and common humanity.

Mr. DUNLOP said, that when he had attempted to pass a Bill for the establishment of the industrial school system in Scotland, he was met by the most determined opposition on the part of the Members from Ireland, who expressed fear lest, under his measure, Roman Catholic children might be proselytized. He was therefore delighted to find that many Irish Members seemed at length to appreciate the real value of the industrial school system, and were now desirous of having it applied to Ireland. He could assure his hon. Friends that in Scotland they had found that the dangers which were apprehended from adopting a system of this kind were only visionary. Under these circumstances he should cordially support the Bill, though he would not have done so if he had thought that the national system would be endangered by it. He had, however, no apprehension that this would be so. The class for which the Bill was intended was a very limited and a very peculiar class, and the peculiarity of the class was the great reason for providing that the education given should be sectarian. In schools of this kind a great deal depended upon having managers whose hearts were in the work, and they could hardly hope to obtain this amount of interest unless the schools were sectarian. While supporting the Bill, however, he thought that some improvement might be made in the details; and in particular, he thought that the same securities should be given against proselytising Protestant children in Ireland as were given in reference to Roman Catholic children in England.

Mr. SYNAN said, he was at a loss to comprehend the grounds on which the hon. Member for Londonderry (Mr. Peel Dawson) opposed the Bill, as the national system in Ireland did not provide for that class of children for whose sake industrial schools were sought to be established. The industrial school system had operated most beneficially in England, and he desired to see its benefits extended to Ireland. As to the statements that the Bill would promote vagrancy and proselytism, he thought a decisive refutation was given to those assertions by the provisions of the Bill; because the grand juries, the proprietors of Ireland, were to be the parties to grant money for the establishment of these schools, and they were certainly not likely to tax themselves to promote vagrancy and proselytism. He believed that the Bill, instead of encouraging vagrancy, struck at its root; because, by enabling a mass of vagrant children to receive an industrial education, it provided the means of making them industrious citizens.

Lord CLAUD HAMILTON said, that no one who had spoken in favour of the Bill had attempted to show that there existed any public necessity for taxing the Irish cesspayers for the purposes contemplated by the measure before the House. He had been for over twenty years the chairman of the Board of a large union in Ireland, and was acquainted with all classes there, religious and political, and he could truly say that not one single person had addressed one line or word to him in favour of the present Bill. In order to ascertain what amount of sympathy was excited by the measure, he had made inquiries as to the number of petitions presented in reference to the Bill, and he found that there had been only one petition, signed by two persons, presented on the subject, and that petition was against the Bill. The measure would establish a new and very costly system of education in Ireland, and how was it to be paid for? It was to be paid for out of the county cess, which affected the pockets of all the poorer classes in Ireland. The promoters of the Bill had failed to show that the existing system in Ireland had failed to meet the evil for which a new system was now alleged to be necessary. In all the poorhouses in Ireland there were industrial schools; and he had known numbers of instances of young men and women who, after acquiring a knowledge in the poorhouse of some industrial occupation, had earned enough afterwards not only to keep themselves, but to enable them to withdraw their brothers and sisters from the house. Let them show him that there was a class of juvenile vagrants in Ireland requiring industrial schools, and he was open to conviction. It was very easy to point to the system in England; but he was happy to say that they were not horrified in Ireland by that mass of juvenile crime which was concomitant with the accumulation of wealth in this country. He felt that he was only doing his duty in supporting the Motion for the rejection of the measure, and in so acting he was not influenced by any desire to prevent industrial education in Ireland; but did so because he thought the effect of the Bill would be greatly to mar the operation of the existing system of education, and to sap the principle of self-reliance by offering an inducement to many parents to drive their children into vagrancy and crime in order to make them qualified to obtain a first-rate education at the public expense.

Mr. LAWSON said, he believed that the Bill would confer a very great boon on Ireland. It proposed to deal with children of the vagrant class, and to place them in schools—extending to Ireland the system which prevailed in England. The hon. Member for Londonderry (Mr. Peel Dawson), had put forward the extraordinary proposition that Ireland was already overschooled; but, in answer to the objection urged on such a score, it was only necessary to state that it rested entirely in the option of the grand juries to grant or withhold money for the establishment of the industrial schools. The noble Lord the Member for Tyrone (Lord Claud Hamilton) asserted that there existed no necessity for such legislation. If that be so, and if in the county which the noble Lord represented the people were perfectly satisfied with the existing machinery at work there, it was extremely probable that the grand juries of that county would not put the machinery of the present Bill in motion: but what reason was there why the grand juries in other counties, where things were not in so satisfactory a state in respect to proper provision for vagrant children, should not be intrusted with the power which it was proposed to give them by the present Bill? He found it difficult to understand the argument that the industrial school system would interfere with the system of National education in Ireland, for the latter system was voluntary. No child could be sent to the National schools without the consent of the parents, and the schools were day-schools, so that the children returned to their parents every day. The industrial schools, on the other hand, would take in children having no protection, and train them up in the principles of religion and morality. This object could not be attained except by the establishment of schools to be conducted according to the religious faith of the children, like the reformatory schools, which were working so well in Ireland. He had no doubt that the pockets of the cesspayers, which the noble Lord the Member for Tyrone was so anxious to protect, would be properly protected by the grand juries, and he gave the Bill his hearty support.

Sir HERVEY BRUCE said, he did not concur with the hon. Member for Londonderry (Mr. Peel Dawson) that the national system of education in Ireland rendered these industrial schools unnecessary; because the first and great principle of the system was that children of all denominations should be simply instructed in secular knowledge, scrupulously declining to enter into the religious element at all. His own opinion rather was that if we took these children from the streets it was due to them to see that they were provided not only with secular education, but also with religious education according to the religion of their parents. He thought the gravest and most serious objection to the Bill was the proposal to charge the people of Ireland for the schools to be established. He held that it was very unfair to charge the poorest classes of the Irish people with the education and training of these outcast children, and that the expense should not be taken out of the local funds. If he understood the hon Member who introduced the measure, the provisions of his Bill would differ from those of the English Industrial Act in a very important particular. That Act provided that the national funds should pay 2*s.* 6*d.* per week for the support of such children; but he saw no clause in the Bill providing that some such contribution should be given by the State towards the support of these children in Ireland. It had been said that Ireland was overschooled, but he did not think so; though he believed that the education pursued in the model schools was not applicable at the present moment to the wants of the people of Ireland, and much of the money expended on them might be employed for the maintenance of the schools contemplated by the present Bill. The whole expense was to be provided out of the county cess. That was, in his estimation, very objectionable. Independent of any other objections to the Bill, he thought it was brought forward at a very unseasonable time. Owing to the disturbances in Ireland many hon. Members, and most of the Irish Members of the Government, were absent, and it was unfortunate that a measure in which they were deeply interested should be prosecuted in their absence. He thought it would only be showing befitting courtesy to the noble Lord the Chief Secretary for Ireland and the other Irish Members of the Government to delay the further consideration of the Bill. If the hon. Gentleman the Member for Roscommon (The O'Conor Don) would promise not to ask the House to go into Committee upon the Bill until the Chief Secretary and other Irish Members had returned to their places, he would not object to the second reading.

THE O'CONOR DON said, that he had not imagined that any opposition would be offered to the second reading of this Bill, because it was merely a proposal to extend to Ireland the benefits of the Act passed last Session for Great Britain. He heard, however, with great surprise the intention of his hon. Friend opposite to oppose the second reading; but did not believe that it was necessary for him to say anything until he had heard the reasons assigned for this opposition. Before dealing, however, with these reasons, he would endeavour to answer the challenge of the noble Lord the Member for Tyrone (Lord Claud Hamilton.) The noble Lord said that it was incumbent on him to show some necessity for the establishment of these proposed new institutions; but two things were evident from the speech of the noble Lord. First, that he was not present in the House when the Bill was introduced, when he (The O'Conor Don) stated the reasons which influenced him in bringing in the Bill; and secondly, that he had not studied very accurately the criminal statistics of Ireland. In bringing in the Bill he (The O'Conor Don) stated the reasons which operated in his mind in inducing him to propose it; he believed those reasons strong ones. He would now repeat some of them. The noble Lord had drawn a very pleasing picture of the comparative immunity of Ireland from crime, and had boasted of the absence in Ireland of that great mass of juvenile criminality which was so conspicuous in Great Britain; but the noble Lord evidently had not read the judicial statistics published on the authority of the Irish Government. With the permission of the House he would read a passage from the last Report of Dr. Hancock, who was the gentleman who compiled the judicial or criminal statistics of Ireland, and in that passage would be found the answer to the question, why did he introduce this Bill? After giving the table containing comparison between the criminal classes in Great Britain and Ireland, Dr. Hancock goes on to say—

> "This table exhibits a very satisfactory result, that although the number of police in Ireland is double the number in a corresponding portion of the population of England and Wales, the number of criminal classes, other than vagrants and tramps, known to the police, in less than one-half, being 11,444 as compared with 22,923 in a corresponding portion of the population in England and Wales in 1864. In vagrants and tramps under sixteen years of age the proportion is reversed, being 3,475, or nearly double 1,812, the number in a corresponding portion of the population in England and Wales in 1864. In connection with this subject the total absence of industrial schools in Ireland should be borne in mind, whilst there were in certified industrial schools in England and Wales at the end of the year 1864 no less than

> 1,409, or 381 in a portion of the population of England and Wales corresponding to Ireland. During the past Session the law as to industrial schools has been consolidated for England and Wales by statute 29 & 30 *Vict.* c. 118; but this valuable code of laws, commencing in the year 1854 by statute 17 & 18 *Vict.* c. 86, and amended by successive enactments, after ten years' experience, has not yet been extended to Ireland. The continuous increase in the number of juvenile delinquents, which I have had to notice for three years, would appear to indicate the necessity of this extension to Ireland."

This was his answer to the challenge of the noble Lord. He would now pass on to the statements of his hon. Friend the Member for Londonderry (Mr. Peel Dawson.) Before doing so, he should point out to the hon. Baronet the Member for Coleraine (Sir Hervey Bruce) that he was quite mistaken in supposing that the provisions for Treasury advances towards the maintenance of children in industrial schools was omitted from this Bill. Section 35 of the English Act provided that the Treasury should be empowered to make certain payments towards the support of children coming under the operation of that Act, and if the hon. Baronet looked to Clause 3 of the Bill before the House, he would find that it proposed to embody in this Bill Section 35 of the Act of last Session. The hon. Baronet's objection, therefore, on this head had no foundation in fact. As to the statement of the hon. Gentleman who moved the rejection of this Bill, it consisted of several objections; some of them had been answered by previous speakers, but to some of them he found it necessary to reply. His hon. Friend objected to the Bill, because he thought it would endanger the national system of education; he objected to it because it would give rise to sectarian disputes and differences; he objected to it because it would add to the burden of county rates; he objected to it because it was brought forward at an untimely moment, when the Irish Law Officers were absent; and finally, he objected to it because a certain portion of his constituents disliked it. This Bill, it was said, will interfere with the national system of education in Ireland. In the name of common sense, how? With what class of children did it deal? With those wandering and begging in the streets—those without any protectors, without any visible means of obtaining a livelihood, with the miserable little wretches at present growing up in ignorance, idleness, and crime. How can this affect National schools? None of these children attend such schools; there is no one to send them there, and, if there were, who would support them whilst attending there? The Bill, then, in no way affects children at present attending ordinary National schools. But it may be said it proposes to touch workhouse children; the schools in workhouses are National schools, and so far it interferes with national education. But what class of workhouse children does it affect? Only those who are so unruly and unmanageable in the workhouses that they can be taught nothing, and disturb the discipline of the establishment; and is it to be supposed that because a few bold, unruly, juvenile paupers may be transferred from workhouse schools to establishments in which a particular form of Christianity is taught, that thereby the national system of education is endangered? He was willing, however, to omit this clause in Committee, because he thought those unruly workhouse children ought rather to be sent to reformatories. But perhaps the hon. Gentleman would say that it was in the affirmation of the principle of granting public aid to educational establishments of a denominational character that he saw the danger to the national system of education. If so, he (The O'Conor Don) would only say that that principle had been already affirmed. It had been affirmed in the passing of the Irish Reformatory Act, and no one had ever heard that, by the passing of that Act, the system of national education had been weakened. The hon. Gentleman next laid great stress on the disastrous results of religious differences and disputes in Ireland. He entirely agreed with him in that, and believed that his Bill was so framed as to give the least possible opportunity for such arising. His hon. Friend, though objecting to what he called the sectarian character of the proposed institutions, did not directly suggest that they should be, like the national schools, mixed as to the religious persuasions of the inmates. Had he done so, he (The O'Conor Don) could easily show the objections to this course. The hon. Member did not propose this, but his argument simply amounted to this:—If this Bill be passed, in some isolated instances squabbles might arise as to the religious persuasion in which certain deserted children should be registered; therefore the Bill should be rejected, and not only these children but all the others who would come under its operation should be left neglected and deserted in the streets to grow up in vice, and to add to the criminality of the country. This was literally the logical conclusion of his hon. Friend's argument. These schools could not be other than denominational, or if they were religious disputes would be only intensified. It must be recollected that they were to be founded and managed by private individuals. Now, no private individuals would go to the trouble and expense of getting them up or undertake their management unless they could manage them in accordance with their own religious opinions. But supposing that children of all religious persuasions could indiscriminately be sent to any one of these institutions, this, instead of putting an end to religious disputes, would only increase them tenfold. Under the Bill as proposed the only dispute which could arise would be the registration of the child in the first instance. That settled, no other cause of difference could exist; but make these establishments open to children of all persuasions and your difficulties only commenced with the registration. Then followed immediately demands for the appointment of chaplains of the different persuasions, demands for the admission of visitors to teach religion, disputes as to the regulation of hours for religious instruction, and a whole host of other most difficult and annoying questions. One of the great recommendations, then, of the present Bill was that it got rid of all these perplexities, and reduced to the minimum the occasion for religious differences. It had been said that the hon. Member for Cork (Mr. Maguire) had introduced a Bill on this subject and had failed; but the hon. Member for Cork never asked the opinion of the House on his Bill. He introduced his Bill late in the Session, found he had no time to proceed with it, and withdrew it. This, therefore, was no argument against the present Bill. His hon. Friend (Mr. Peel Dawson) objected to the expense this would cast on the county rates. He had no desire unnecessarily to increase the county rates, but the question really was not what will this Bill cost, but is it worth the cost? He maintained that it was. In an economic point of view he maintained that it ought to be supported. By taking up unfortunate vagrant children and rearing them in the habits of industry you diminish the danger of having to support them afterwards as criminals. Moreover, these children should be in some way supported, either by the proceeds of beggary or pilfering, or in institutions such as he proposed. If supported in either of the former ways, they would have to be supported entirely at local expense; if in industrial schools a grant would be received from the Treasury. He maintained, therefore, that the Bill proposed a relief not an addition to local burdens. He thought he had now answered all the objections coming from the other side, and would not detain the House much longer. He might, however, mention that the experience of the last few years justified the expectations of those who supported reformatory and industrial schools. These institutions had now for some years been tried in Great Britain, and were declared successful by the inspectors. About 75 per cent of those discharged from reformatories were known to have turned out well, and the same might be said of the industrial schools. Nor did the reformatories in Ireland show a different result. Out of all those discharged from one of the largest reformatories in Ireland — namely, Glencree, only twelve were re-convicted of crime, and out of 163 discharged all over Ireland in 1865, only three had relapsed. The results of the past legislation were therefore eminently satisfactory, and he felt sure the House would not refuse to extend to Ireland the benefits of those industrial institutions now carried on in Great Britain.

MR. CHICHESTER FORTESCUE thought the House greatly indebted to his hon. Friend (The O'Conor Don) for bringing forward this Bill, to which the real ground of opposition was not its interference with the national system—an argument which would not bear the slightest examination—but the lamentable prejudice of many persons of the Presbyterian denomination in Ulster. He never anticipated that that prejudice would have been stated so broadly and with so little excuse as it had been in relation to this Bill, when in the mouth of the hon. Member for Londonderry (Mr. Peel Dawson), it took the form of a horror of the system of proselytism. No one in that House would more cordially than himself join in the condemnation and detestation of the system of proselytism between the different communions in Ireland, which was, in fact, one of the greatest curses under which that country lay; but he must say, speaking candidly, and believing what he said to be the truth, that system of proselytism, although practised sometimes in an unjustifiable manner by all communions was, he thought, practised by the Catholic Church in a less systematic and aggressive manner than by the Protestant Establishment. The danger of proselytism, however, was no argument against the Bill. Its provisions prevented such a danger by enacting that children should only be sent to industrial schools under the exclusive management of their own denomination. His principal object, however, was to inquire from the Government whether they had formed any opinion as to the merits of this Bill. He hoped the Home Secretary would state the views entertained by the Government as to the extension of the industrial system to Ireland. He ventured to anticipate that they would not wish to make a distinction between the three kingdoms in this respect, or argue that what was good for Scotland and England was not good for Ireland; especially after the conclusive statement so carefully and accurately made by his hon. Friend in support of the second reading of the Bill.

Mr. WALPOLE, having been appealed to by the right hon. Gentleman to say what the Government thought of this Bill, felt himself authorized to state, for himself and those Members of the Government he had consulted on the subject, that he could see no reason why the Bill, which was good for England and Scotland, should not, in principle, be extended to Ireland. The only doubt which suggested itself to his mind as requiring consideration was as to some of the reasons which had been stated in relation to vagrancy and *quasi*-offenders in Ireland. But the references made by the hon. Gentleman who moved the second reading of the Bill to the criminal statistics of Ireland had removed his doubts upon that point. There were other questions as to the amount of charge and the mode of charging for the establishment, which might require some further consideration in Committee than he had been able to give. But, reserving himself on these points until he could confer with his noble Friend the Secretary for Ireland, he should offer no objection to the second reading.

Amendment, by leave, *withdrawn*.

Main Question put, and *agreed to*.

Bill read a second time, and *committed* for *Tuesday* 26th March.

CRIMINAL LAW BILL—[Bill 8.]

(*Mr. Russell Gurney, Mr. Coleridge.*

COMMITTEE.

Bill *considered* in Committee.

(In the Committee.)

Clause 1 (Limitation of 22 and 23 *Vict.* c. 17) *agreed to.*

Clause 2 (On Acquittal, &c., of Person Indicted who has not been committed or held to Bail, Court may order Prosecutor to pay Costs to Accused if he think the Prosecution unreasonable).

Mr. HURST objected to the clause. This proposal was inconsistent with what had hitherto been recognised as the true principle of criminal law, that prosecutors in criminal cases only performed their duty to the State, and therefore in all ordinary cases the costs of the prosecutions were paid by the country. Looking at the great difference of opinion as to what was or was not a reasonable cause, he thought the decision on the point ought not to be thrown upon the Court. He moved the omission of the 2nd clause.

Mr. RUSSELL GURNEY said, he thought we had acted too long on the principle contended for by the hon. and learned Gentleman. It was impossible to admit that prosecutors were invariably actuated by motives of public duty. There were a great many prosecutions instigated by private motives and of private interests. A system had grown up under which parties, having preferred an indictment before the grand jury and obtain a true bill on *ex parte* evidence, obtained a bench warrant under which the accused was taken into custody, and this for the purpose of inducing a compromise of private rights. This system had been carried to such lengths that the Legislature at length interfered and passed the Vexatious Indictments Act, which provided that no party should be at liberty to go before the grand jury unless the case had first of all been inquired into by a magistrate. If the magistrate was of opinion that the case was well founded the matter took the usual course. The Act had had a most beneficial effect; but since the prosecutor still had it in his power to go before the grand jury upon his own responsibility, the system, sometimes adopted with a view to extortion, had not been entirely put an end to. Cases of this nature had again and again come before him, and he did not remember one in which the prosecution had been successful. The invariable result was, either the case was abandoned before the jury, or the jury acquitted. The object was attained when the Bill was found, and the defendant, after being put to great inconvenience, after having engaged counsel and brought up his witnesses ready for trial, found the trial put off on some plausible pretext, and was driven under the pressure of a charge wantonly made to settle some civil dispute between the parties. Was it reasonable that the defendant should be obliged to bear all the expenses of that prosecution? Was it not more reasonable that the prosecutor, who had preferred the charge, and insisted on going on with it on his own responsibility, having failed in establishing the charge, which might be wholly groundless and brought in order to extort money, should, on a Judge's order, be obliged to pay the costs? The hon. and learned Gentleman was not correct in saying that the proposition was a novel one; in cases of libel, when the defendant was acquitted of the charge, the prosecutor had to pay the costs.

THE SOLICITOR GENERAL said, he could not agree with his right hon. and learned Friend (Mr. Russell Gurney). In all cases where prosecutions were instituted without reasonable and probable cause, not without malice, a civil action lay in which damages could be obtained. But it was a dangerous innovation to say where *ex concesso* there was no malice, and the proceedings were *bonâ fide*, if the Judge thought there was an absence of reasonable cause, the prosecutor should be ordered to pay the costs of indictment. The Act under which these prosecutions were frequently instituted was the 22 & 23 *Vict.* c. 17, s. 1. It enacted that—

> "After the First day of September, 1859, no Bill of Indictment for any of the Offences following—namely, Perjury, Subornation of Perjury, Conspiracy, Obtaining Money or other Property by false Pretences, Keeping a Gambling House, Keeping a disorderly House, Any indecent Assault—shall be presented to, or found by, any Grand Jury, unless the Prosecutor or other Person presenting such Indictment has been bound by Recognizance to prosecute or give Evidence against the Person accused of such Offence, or unless the Person accused has been committed to or detained in Custody, or has been bound by Recognizance to appear to answer to an Indictment to be preferred against him for such Offence, or unless such Indictment for such Offence if charged to have been committed in England, be preferred by the Direction or with the Consent in Writing of a Judge of One of the Superior Courts of Law at Westminster, or of Her Majesty's Attorney General or Solicitor General for England."

The 2nd clause of this Bill was to this effect—

> "Whenever any Bill of Indictment shall be preferred to any Grand Jury, whether under the Provisions of the Act 22 & 23 *Vict.* c. 17, or otherwise, against any Person who has not been committed to or detained in custody, or bound by Recognizance to answer such Indictment, and such Bill of Indictment shall be ignored by the Grand Jury, or, being found by them, the Person accused thereby shall be acquitted thereon, and the Court before which the same Indictment shall be so preferred or tried shall be of opinion that such Indictment has been preferred without reasonable Cause, it shall be lawful for such Court, in its discretion, to direct and order that the Prosecutor or other Person by or at whose instance such Indictment shall have been preferred shall pay unto the accused Person the just and reasonable Costs, Charges, and Expenses of such accused Person and his Witnesses (if any) caused or occasioned by or consequent upon the preferring of such Bill of Indictment, to be taxed by the proper Officer of the Court; and upon Nonpayment of such Costs, Charges, and Expenses within One Calendar Month after the Date of such Direction and Order it shall be lawful for any of the Superior Courts of Law at Westminster, or any Judge thereof, or for the Justices and Judges of the Central Criminal Court (if the Bill of Indictment has been preferred in that Court), to issue against the Person, on whom such Order is made, such and the like Writ or Writs, Process or Processes, as may now be lawfully issued by any of the said Superior Courts for enforcing Judgments thereof."

Therefore even when prosecutions were instituted by order of a Judge of a Superior Court or by order of the Attorney General, if the Judge thought fit, costs were to be awarded. But there was another objection. They were going to enact a new civil remedy. If one person prosecuted another without reasonable and probable cause, it was extremely probable that he did so also with malice. The issue in a case where a person who had been a prosecutor was made defendant in an action for malicious prosecution, was totally different from where a person was indicted. It was said that after acquittal, the prosecutor having directed his evidence to the question whether the defendant was guilty or not guilty, the Judge, without having a jury to assist him, without further evidence to show probable cause, was at once to say, "Here is a case in which costs ought to be given." There was another inconvenience. The Judge at the trial might say there was not reasonable and probable cause, and condemn the prosecutor in costs; but the defendant bringing his action for malicious prosecution, the jury might by their verdict declare that there was reasonable and probable cause;—so that there would be conflicting judgments on the same point. In a civil action for malicious prosecution the defendant—the prosecutor in the criminal proceedings—was at liberty to show by his counsel and by his witnesses that he had reasonable and probable cause for preferring the indictment complained of; and if the jury were of opinion that no reasonable and probable cause had been shown they could punish him by making him pay the costs of the person indicted. The Bill, however, proposed that the Judge of the Criminal Court should, without giving the prosecutor an opportunity of showing that he had reasonable and probable cause for preferring the indictment, have power to order him to pay the costs. The clause was unnecessary, since the remedy it proposed to give in cases of malicious prosecutions was now obtainable by civil action.

Mr. THOMAS CHAMBERS did not understand that the clause was intended to apply in cases where a Judge had authorized the indictment to be preferred.

Mr. RUSSELL GURNEY said, the clause would not apply to such cases—he intended to confine the operation of the clause to cases which came under the Vexatious Indictments Act.

Mr. Serjeant GASELEE thought it would be dangerous to give the magistrates at quarter sessions the power of determining what did and what did not amount to reasonable and probable cause. He thought the best thing to be done was to get rid of the grand jury system altogether.

Question put, "That the Clause, as amended, stand part of the Bill."

The Committee *divided*:—Ayes 93; Noes 64: Majority 29.

Clause, as amended, *ordered* to stand part of the Bill.

Clause 3 (Accused Person to be asked by Justice if he wish to call Witnesses. Their Depositions to be taken and returned to Court of Trial, if he call any.)

Lord HENLEY asked whether the right hon. Gentleman had any objection to omit the following words in the clause:—

> "Such justice or justices, before he or they shall commit such accused person for trial or admit him to bail, shall, immediately after obeying the directions of the 18th section of the Act 11 & 12 *Vict.* c. 42, demand and require of the accused person whether he desired to call any witnesses; and whatever the accused person shall then say in answer to such demand shall be taken down in writing and signed by the said justice or justices, and kept with the depositions of the witnesses, and shall be transmitted with them in due course of law, and afterwards, upon the trial of the said accused person, the same may, if necessary, be given in evidence against him without further proof thereof."

He thought this provision would operate rather hardly in some cases. If witnesses were called at the trial, who had not been named to the magistrate, it would be urged against the prisoner that the defence had been "got up" in the interval, and it would in that way suffer prejudice. He should also be glad to know whether the defendant would have the right to demand an adjournment for the production of witnesses.

Mr. RUSSELL GURNEY thought the words to which the noble Lord referred were of great importance, because it frequently happened that the prisoner did not know at what time to call his witnesses, and it was therefore desirable that he should be formally asked whether he had any evidence to adduce in proof of his innocence.

Mr. THOMAS CHAMBERS said, that it was the universal practice for the magistrate to ask the prisoner whether he had any witnesses.

Mr. HENLEY said, as the magistrate in asking the question was required to caution the prisoner that anything he might say in reply would be used in evidence against him, it was clear that he must, before putting the question, have made up his mind to commit the prisoner for trial. Under such circumstances, it was not fair to require the prisoner to decide at the moment upon the expediency of calling witnesses in his behalf.

Mr. THOMAS CHAMBERS thought that the objection to the clause would be met by the omission of the words requiring that the answer of the accused person should be taken down and used in evidence against him.

Mr. RUSSELL GURNEY said, he did not object to the omission proposed by the hon. and learned Member for Marylebone.

Amendment *agreed to.*

Mr. Serjeant GASELEE inquired whether the prisoner was to be entitled, as a matter of right, to a remand when his witnesses were not in attendance?

MR. RUSSELL GURNEY took it for granted that the magistrates would grant a remand when the witnesses for the defence were not upon the spot when the case was heard.

MR. BRUCE wished to know whether the words of the clause included witnesses as to character?

MR. RUSSELL GURNEY said, the clause was only intended to include witnesses as to facts.

MR. HOWES asked whether the magistrate would be able to grant or refuse a remand at his discretion? He thought it was necessary for the protection of an accused person that his right to a remand for the purpose of bringing forward his witnesses should be distinctly stated in the Bill.

MR. RUSSELL GURNEY replied that in all cases where a remand was necessary it would be granted. When the prisoner was again brought up his innocence might be clearly proved; in which case he would be at once set at liberty instead of being confined until the ensuing assizes, which might not be held for several months after his committal.

MR. HENLEY said, a new light appeared to be thrown on the matter by this proposal as to witnesses. It appeared from the statement just made by the right hon. and learned Gentleman that he intended that the magistrate should try the case from beginning to end, and not merely ascertain whether a *primâ facie* case had been made out by the prosecution. If the prisoner were acquitted by the magistrate, his witnesses would not be paid.

MR. ROEBUCK thought that the more important question was under what circumstances was the magistrate the most likely to come to a proper decision. When the magistrate had heard the witnesses on both sides he would be in a better position to come to a decision upon the case than if he had only heard those called on behalf of the prosecution.

MR. RUSSELL GURNEY said, a case had come to his knowledge in which the magistrate having decided that a *primâ facie* case of robbery had been made out against a prisoner, had refused to hear his witnesses, although five respectable persons were ready to prove an *alibi*. When the case came on for trial the counsel for the prosecution at once withdrew the charge when he heard the evidence of the defence.

SIR FRANCIS GOLDSMID said, that as the clause now stood it would include the expense of witnesses to character. It would be quite sufficient to pay the witnesses who knew anything of the circumstances of the case.

Clause, as amended, *agreed to.*

Clause 4 *agreed to.*

Clause 5 (If Witnesses for Accused, bound by Recognizance, appear at the Trial, Court may allow Expenses.)

MR. HENLEY wished to ask, why the granting of a certificate of attendance to the witnesses who had appeared on behalf of the prisoners should be optional on the part of the magistrate? If the object were to enable the magistrate to refuse the certificate of witnesses who had given their evidence in an unsatisfactory manner, or of witnesses who ought never to have been called, it was right enough; but certainly after witnesses had been bound over to attend the certificate ought not to be withheld. He therefore moved that the words "if such magistrate should think fit to grant the same" should be left out.

MR. RUSSELL GURNEY said, that the object was simply to give to the magistrates a discretionary power in the case of those witnesses whose evidence was unsatisfactory or who ought not to have been called. He quite agreed, however, in the opinion of the right hon. Gentleman that a certificate ought not to be refused to a witness who had been bound over to attend.

Amendment *agreed to.*

LORD HENLEY thought that the fee of 1*s.* payable to the clerks for the names of witnesses handed to the prosecutor was too high. At petty sessions, for instance, seven or eight witnesses were often called in one case, and if 1*s.* were allowed for each name the expenses would be much increased. He suggested either that the fee should be lower, or that the duty should be attached to the offices held by the clerks.

MR. RUSSELL GURNEY suggested that the fee should be reduced to 6*d.*

Amendment made.

MR. CHILDERS thought the Committee ought to know, before the clause passed, what was the estimated cost which would be thrown upon the public by the Bill. The question was of some importance, for the cost of committals was already about £320,000; and it was now proposed to add the expenses of the defendant's witnesses. He presumed that the Treasury had taken the matter very carefully into consideration.

Mr. HUNT said, that when the matter came before the Treasury the principle of the Bill was assented to generally, on the assurance of the Home Office that it would tend to the promotion of justice. He had no idea how an estimate such as that referred to by the hon. Gentleman could possibly be made out, inasmuch as the effect of the Bill could only be ascertained after it had been in operation for some time. As far, however, as his experience would enable him to judge, he believed the expense would be very small; for few prisoners called witnesses, and in cases of *alibi* they generally broke down.

Mr. CHILDERS thought the answer just given was a very unsatisfactory one. He was of opinion that the Government ought, before assenting to the change, to obtain information on the point and lay it before the Committee.

Mr. HUNT should like to ask the hon. Gentleman how he would set about the preparation of such an estimate. He was perfectly willing to admit that the Bill ought not to be hurried through Parliament; but he candidly confessed that, as far as he was concerned, he did not see that even by postponing it for three months he should be able to frame such an estimate.

Mr. NEATE believed the answer which the Committee had just heard was a perfectly satisfactory one. He did not think that accused persons should be debarred from privileges which were now granted to those engaged in the prosecution. When equal justice was in question the expense ought not to be taken into consideration.

Mr. Serjeant GASELEE was surprised to hear so much said about expense. Large sums were frequently voted for the most foolish purposes, and then nothing was heard about the expense. The question was whether the proposition was a just one or no. If it was, the question of expense was beneath the dignity of the country.

Mr. HENLEY said, that at present the expenses of the witnesses for the prosecution were in part defrayed by the county and in part by the Treasury; but he could not see that any power was given by this clause to compel the Treasury to make payment towards the expenses of witnesses for the defence. He thought the witnesses for the defence should be paid as well as those for the prosecution.

Sir WILLIAM HEATHCOTE thought so to. He thought also that the expenses of the defendant's witnesses before the magistrate should be allowed; but he questioned whether, as the clause now stood, there was any power given by which witnesses for the defence could be paid in the case of a prisoner brought up before a magistrate and discharged. It was, he thought, of the utmost importance both to the ends of justice and to secure against injustice, that encouragement should be given to diligent sifting of the charges made in the first instance.

Mr. HUNT said, that the Treasury certainly intended to contribute towards the expenses of witnesses for the defence, as they now contributed towards the expenses of witnesses for the prosecution. He thought, perhaps, as there were several of the suggestions made which ought to be considered, it would be better for the present to report Progress.

Mr. CHILDERS said, that the contribution on the part of the Treasury towards the expenses of witnesses for the prosecution was not made under any statute, but was the subject of an annual Vote, the title of which, if the Bill were carried, would have to be altered, so as to include the expenses of witnesses for the defence. With regard to the estimate to which he had referred, it would not, he believed, be difficult to make, because the Treasury at present knew the average cost of witnesses for the prosecution in each county, and the clerks of the peace could easily furnish information as to the expenses of the witnesses for the defence.

Mr. BRUCE agreed with the views expressed by the hon. Member for the University of Oxford (Sir William Heathcote.)

Mr. RUSSELL GURNEY moved that the Committee report Progress.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again upon *Tuesday* next.

INCLOSURE BILL.

On Motion of Mr. Secretary Walpole, Bill to authorize the Inclosure of certain Lands in pursuance of a Report of the Inclosure Commissioners for England and Wales, *ordered* to be brought in by Mr. Secretary Walpole and Mr. Hunt.

Bill *presented,* and read the first time. [Bill 72.]

House adjourned at five minutes before Six o'clock.

HOUSE OF LORDS,

Thursday, March 14, 1867.

MINUTES.]—*Sat First in Parliament*—The Lord Feversham after the Death of his Father.

PUBLIC BILLS — *First Reading* — Consolidated Fund (£369,118 5*s.* 6*d.*)

Second Reading — Railway Traffic Protection (43.)

Referred to Select Committee—Hypothec Amendment (Scotland) * (33).

Committee—Trades Unions (31).

Report—Trades Unions (31 & 44).

HYPOTHEC AMENDMENT (SCOTLAND) BILL [H.L.]—(No. 33.)—(*The Lord Chancellor.*)

Order of the Day for the House to be put into Committee (on Re-commitment), read, and *discharged;* and Bill *referred* to a Select Committee.

And, on March 15, Select Committee *nominated* as follows:—

M. Tweeddale
E. Airlie
E. Selkirk
E. Graham
L. Saltoun
L. Blantyre
L. Sundridge
L. Wharncliffe
L. Hamilton
L. Panmure
L. Colonsay

TRADES UNIONS BILL—(No. 31.)

(*The Earl of Belmore.*)

COMMITTEE.

Order of the Day for the House to be put into Committee on the said Bill read.

THE EARL OF BELMORE said, their Lordships would recollect that, with respect to the outrages at Sheffield, it was proposed by the Bill that Special Examiners should be appointed by the Commissioners to conduct the local inquiry. It was now proposed that if the Royal Commissioners declined to conduct that portion of their inquiry themselves, the Chairman might apply to the Secretary of State, who might appoint not more than three persons to conduct the inquiry, who must be either of the Commission or barristers of not less than ten years' standing. This alteration would involve certain others, and he therefore proposed that the House should go into Committee, *pro formâ*, for the purpose of making these necessary Amendments.

Lord CRANWORTH and Lord WHARNCLIFFE made a few observations which were not heard.

LORD ST. LEONARDS said, it was believed—whether truly or not he could not say—that the men who actually perpetrated these outrages in Sheffield were not the men who planned them, but that in the background there were other persons who really procured their perpetration. The Commission might elicit the fact whether this was so or not. As it was, the actual culprit or culprits walked about as innocent men; but when the Commission began to operate, and the culprits could save their lives, they would come forward and give evidence, and then they would walk abroad again just as they did now. The men would be just in the same position that they were in now, with this difference—that their character would be discovered and others would know what they had been guilty of. No mischief could be done; nothing could be done but what would operate beneficially. The case was so exceptional as to justify this exceptional legislation; were it otherwise, no one would be more unwilling than himself to support such a measure.

EARL GRANVILLE said, that if it were desired to postpone the further consideration of the Bill for a week it would be better not to prolong the present discussion, and he would therefore reserve any remarks he had to make.

House in Committee (according to Order); Bill *reported,* without Amendment; Amendments made; Bill *re-committed* to a Committee of the Whole House on *Thursday* next; and to be printed as amended. (No. 44.)

RAILWAY TRAFFIC PROTECTION BILL—(No. 43.)

(*The Lord Redesdale.*)

SECOND READING.

Order of the Day for the Second Reading read.

Moved, "That the Bill be now read 2ª."—(*The Lord Redesdale.*)

THE DUKE OF RICHMOND was understood to express a doubt as to the expediency of proceeding with this measure pending the inquiry on the subject now going on in the other House.

THE MARQUESS OF CLANRICARDE asked the noble Duke to consider the position in which railway companies would be placed by the postponement of this Bill, supposing that such a measure was really desirable. The creditors of a company might seize the rolling stock and movable property unless the Bill to be passed was to have a retrospective effect. This was one of the best Bills ever proposed, considering that railways were made and privileges given to them for the advantage of the public, and creditors advanced their money with the full knowledge of this fact.

LORD REDESDALE said, he was placed in an embarrassing position by the request to abstain from proceeding with this Bill because the Government had a Bill of their own; but he believed that on fuller consideration of the subject noble Lords would see the desirableness of proceeding with the Bill. Its object was simply to suspend the power of creditors to take railways in execution until the 1st of August, and unless the protection was afforded which this Bill contemplated, seizures might take place during the time that the Bill of the Government was under discussion. No one could have any idea of the embarrassment at the present moment of the railway world except those who had inquired fully into the subject; and if this Bill passed it would to a certain extent tranquillize the minds of those who were interested in the various railway securities. If Parliament should be of opinion that it was not expedient to pass the Bill, creditors might proceed, and the railways might be thrown into confusion. He should not press the Bill if the noble Duke saw any serious objection to its principle; otherwise he did not think there was any reason why the Bill should not be read a second time, and the committal of it postponed to a distant day. He thought that even if it went no further, a good effect would be produced by it.

THE EARL OF DERBY said, the objection of his noble Friend (the Duke of Richmond) was not to the principle of the Bill. The House of Commons had appointed a Select Committee to inquire into the subject, which had passed Resolutions very much in the spirit of the noble Lord's Bill; and a Bill was about to be introduced based on that Report. If this Bill were proceeded with, they would be sending to the other House a Bill precisely similar in its character to that introduced there. But if the noble Lord thought there would be any advantage in the way of settling the minds of those interested, he saw no objection to the Bill being now read a second time, and hoped the noble Duke would concur in that view.

THE MARQUESS OF CLANRICARDE asked if the Bill had not better be deferred till the Report of the Royal Commission was before their Lordships.

THE DUKE OF RICHMOND said, the question under discussion would not be affected by the Report of the Royal Commission.

THE DUKE OF DEVONSHIRE, as a Member of that Commission, hoped it would be able to present its Report early next month.

Motion *agreed to*: Bill read 2^a accordingly.

RECRUITING COMMISSION.

ADDRESS FOR A RETURN.

THE EARL OF DALHOUSIE rose to call the attention of the House to the Report of the Commissioners appointed to inquire into the recruiting for the Army. He should make no apology for troubling their Lordships by calling attention to this subject. Their Lordships were well aware that not many months ago a Commission was appointed by Her Majesty's late Government to take into consideration certain matters in reference to the system of recruiting in this country. That Commission had reported to Parliament, and its Report was in the hands of the public. But, before he entered into the particulars of their Report, he wished to say a few words respecting a charge brought against the Commissioners of having inadequately performed their duty, and of having sent forth a Report to the public which did not fully enter into all the matters referred to them. Now, he entirely denied the justice of any such charge; and he thought he had some reason to complain that the Commissioners were not better defended in "another place" than the Members of Her Majesty's late Government seemed disposed to defend them. It had been stated, too, that the Commission had trenched upon the vast subject of the re-organization of our military forces. Now, in the first place, he totally denied that his noble Friend below him, the late Secretary for War, would have been guilty of taking a step which would show that he was disposed to delegate to a Commission high functions which properly belonged to the Executive Government. The re-organization of our military forces, taking into consideration all the circumstances in other countries at this time, was a question second only in importance to that great domestic policy which was engaging the attention of the public at the present time; and to refer such a question to the consideration of a Commission would, in his opinion, be a weakness, and more than a weakness, on the part of any Cabinet; while the question really referred to the Commission was one which might be very properly so referred. The facts were these. Great alarm had been created—greater, perhaps, than was actually justified—with reference to the mode of maintaining the ranks of our army by the usual mode of recruiting. The Government and the military authorities, being naturally anxious on the subject, dealt with it as a question in which parol evidence was necessary, and they therefore referred it to a Commission. It was first of all proposed that the Commission should inquire into the condition of the general recruiting for the army, and the Commissioners were instructed to inquire into the operation of the laws at present in force for raising men to serve in our army, into the existing system of recruiting, and, after careful consideration of that important subject, to report any change in the existing law affecting the recruiting of men for the army which, in their judgment, would tend to facilitate recruiting and to retain in our army the men who had completed the first period of their service. It was usual on all occasions that the commands set forth in the Commission should be explained more in detail in Instructions from the Department which the inquiry concerned. Accordingly, as Chairman of the Commission he received from his noble Friend, the then Secretary of State for War, a Letter of Instructions, which were embodied in the Report of the Commission. That Letter instructed the Commissioners, first of all, to inquire why the number of recruits raised during the last few years had not been fully sufficient to meet the losses resulting from death and other causes; they were also to inquire into the remedies for that state of things, and into the operation of the Limited Enlistment Act; and they were further to inquire whether there existed any grievances in the army which might be detrimental to the enlistment of men into the army; they were likewise to consider whether, by substituting a system of general enlistment for a system of enlistment for particular regiments, the enlistment for the army might not be rendered more useful to the army itself and more popular among those who entered it. Finally, they were called upon to state how they might best induce time-expired men to re-enter on a second engagement; and failing to do that, how time-expired men might be induced to give their services to the public by means of certain arrangements so as to form a small nucleus of reserve to be called upon in case of accident. All that the Commissioners had done. They had given their best attention to the Instructions placed in their hands. It appeared to the Commissioners that the present system of recruiting was in many respects defective, that it might be amended with considerable success and rendered much more efficient. The Commissioners ascertained that the recruiting was intrusted to an officer at the Horse Guards, who was competent in every way to perform the duties of the office, provided those duties were confined within reasonable compass. The Adjutant General was responsible to the Commander-in-Chief for the recruiting of the army; he had, however, only time to give cursory attention to the recruiting, and the Commissioners therefore thought it better that it should be conducted by an officer specially put at the head of the department, responsible to the Adjutant General and through him to the Commander-in-Chief. He was glad to learn from a statement made in "another place" that it was the intention of Her Majesty's Government to adopt that recommendation. He was certain it would be attended with great advantage to the service in enabling us to get a much larger number of troops with much greater facility; and he believed that when that system came to be worked it would not be one bit more expensive than the present system of recruiting for the army. So much for the administrative system of recruiting. The Commissioners then proceeded to inquire whether there were any grievances of which the soldier had to complain, and which tended to prevent men from enlisting with that freedom which they had exhibited in former times. The Commissioners found what appeared to them to be a great number of petty grievances, of perhaps no great consequence if taken singly, but in the aggregate amounting to a system which they believed to have a bad effect in deterring young men from entering the army. They found that while the soldier was supposed to have 1*s.* a day for pay and 1*d.* a day for beer money, the men complained that no sooner were they enlisted in the ranks than they discovered that the 1*s.* a day never came into their pockets. There were stoppages for clothing, stoppages for rations, and stoppages for this and the other; so that the soldier never was certain what the amount was which he should receive. In fact, the impression got abroad on account of those stoppages that faith was not kept with the soldier. They found that the principal of those stoppages of which complaint was made arose from the soldier being required to provide himself with a fatigue jacket and foraging cap, which cost him 12*s.* a year. Now, it certainly did appear to him a striking anomaly that the soldier had to provide himself with this fatigue jacket. He did not see why a soldier should be called upon to pay for a jacket which was his undress, and which he wore when he was doing all the hard work required of him in quarters; while the tunic, his show dress, was provided for him by the public. He could see no good reason for this; and the Commission, taking the same view as he did, came to the conclusion that the public should take upon itself the burden of paying for this jacket. Then there was another thing which came before the Commission. It was strongly urged that calling on the soldier to pay for washing the sheets used on his bed was not right. That stoppage he thought amounted to 2*d.* a month, and it was a tax the public ought to pay. Another question which came before the Commission was that of rations; and they had very strong evidence, especially in respect of the cavalry and artillery, that three-quarters of a pound of meat a day was not a sufficiency of animal food to enable the men to go through the work expected of them. As regarded the infantry in quarters where there was not much to do, perhaps three-quarters of a pound might be sufficient; but speaking of the troops generally, all the testimony which the Commission heard led them to the conclusion that the men should have one pound of meat at home, seeing that they had that quantity, with various other additions to their other rations, when abroad. The Government seemed disposed to treat those questions of stoppages and of an addition of a quarter of a pound of meat to the daily rations in a liberal spirit; but he ventured to think that they proposed to proceed on a wrong principle. If he properly understood the statement made in "another place" by the gallant General who he deeply regretted was no longer in the office which he had so ably filled (General Peel), the Government proposed, in lieu of a remission of the stoppages and of an addition of a quarter of a pound of meat per day, to give the soldiers throughout the army an additional 2*d.* a day. The result would be this—for two or three years, perhaps, the clamour would be laid asleep; but in the course of time these very same grievances would crop up again, and having parted with our money by giving increased pay, we should still have to deal with the stoppages and the meat question. Again, he must observe that he could not concur with the gallant General in his mode of increasing the pay. The gallant General, as he understood, proposed to give 2*d.* a day additional pay to the recruit, but only 1*d.* more to the old soldier; so that it would seem to the public that they attached more value to the raw recruit than to the man who had served years in the army. Now, the Commission took an opposite view. They would remit to the recruit all the stoppages for clothing. They did not propose to increase the pay of the recruit; but when the old soldier came to re-enlist they would give him 2*d.* a day additional in consideration of his past services. He was prepared to maintain that the proposals of the gallant General were not near so economical as those which the Commission had suggested. According to the recommendations of the Commission, the abolition of the stoppages for the shell jacket and the forage cap would cost £80,000 a year. The cost of an additional quarter of a pound of meat a day to 70,000 men—taking that as the number of troops at home who would be receiving it—would be £187,500; but supposing the number at home to be 80,000, the cost would be £23,000 more, or £200,000; so that, with the £80,000 for the jackets and forage caps, the entire cost would be £280,000; while the proposals of the gallant officer the late Secretary for War would involve an additional expenditure of £376,000. There were a great many other recommendations of the Commission which might be carried out simply by arrangements made by the Secretary of State for War in concurrence with the illustrious Duke at the head of the army. Among the complaints brought before the Commission was a strong one against keeping soldiers in camps during winter. He was not aware that camps were continued during the winter in any other country. In France, Russia, and other countries there were camps for instruction during the summer months; and he thought it was of great consequence to the army that camp instruction should be carried on actively and zealously in this country; but when the winter came the troops should be removed from camps which did not afford the comfort of ordinary barracks, and should be dispersed in winter quarters, where they would have an opportunity of mixing with their fellow-citizens generally. The result of this would be that they would return to the camp in better spirits and in better order for the active duties of camp service. The Commission recommended a system of enlistment for general service, and of that recommendation the late Secretary of State for War approved. Another recommendation was that, following what was already practised in the navy, institutions should be erected in which boys from the age of fifteen up to seventeen-and-a-half or eighteen years of age should be instructed for service in the army. It appeared to the Commissioners, however, that a system of this nature would entail a great deal of expense. Accordingly, the Report merely touched upon the facts, and left it to the discretion of the Government to say whether a course which had proved successful in the navy should be extended to the sister service. For his own part, he believed that the system would provide the army with a number of men who eventually would become the most useful and valuable in the ranks. No subject could be fraught with more vexation than that of barrack damages. With this he perceived the Government proposed to deal in a somewhat singular manner, the gallant General proposing that the troops should repair their own damages. What that meant exactly he could not say. It was his own opinion that troops ought not to be called on for such repairs at all, except in the case of wilful damage. In the Prussian service barrack damages were never heard of, unless in the case of wilful damage to public property; and in that case the soldiers who committed it were punished and fined until the public property was restored. Except in similar cases the article of barrack damages ought to be scored out of soldiers' accounts altogether, and the change, he believed, would afford very great satisfaction. The Commissioners were also of opinion that it was a matter of some moment to encourage the passage of militiamen into the regular army as a good fountain from which the line might be supplied; but they found there was one objection to it on the part of the militiamen in the fact that every militiaman, after a year's service, who wished to enlist in the line, had to refund 18*s*. 6*d*. of the bounty he had received for the year. The Commissioners recommended that the deduction of 18*s*. 6*d*. made from a militiaman on passing into the line should no longer be made, but that there should be a simple transference of services. This recommendation, which he thought a very useful one, did not appear to have been adopted. He should be glad to hear they had, as he thought it would open a very good source of supply of troops to the line. The attention of the Commission had likewise been directed to the operation of the Limited Enlistment Act; how far it had interfered to stop recruiting in the army, or deprived the country, at an inconvenient time, of the services of men who were in their prime as soldiers. Much had been said against that Act, and great and unnecessary prejudice with regard to it existed, he believed, among commanding officers in the army. Scarcely one of those who appeared as witnesses failed to declare that it had been the ruin of the army. But on being asked if they would like to go back to the old system of twenty-one years' service, the answer was, that it was quite impossible; they could not do it. And while all condemned the Act, not one of them had anything to suggest in its place. The Act was introduced by himself, and after giving it his consideration, he was not prepared to say the law required alteration. In his opinion it was a good measure, and one which, he thought, would work well if other circumstances were made to work well with it. He had, however, no objection to yield his own opinion upon that point if by so doing he could reconcile all parties to one general view; and in that spirit he suggested that, instead of making differences between the services—namely, twenty-one years for the infantry and twenty-four years for the cavalry, there should be one uniform period of twenty-one years for all; and that that should be divided into two periods — namely, of twelve and nine years, to complete the twenty-one years for the pensions. Under these circumstances he anticipated that the soldier, having served so much of the period as twelve years, would be indisposed to retire without securing his claim to a pension, and therefore they would be more likely to retain the twelve years' men than the ten years' men. He had also thought that by making some alterations in other respects, and enabling the soldier to carry to the pension a larger sum than at present, they would hold out inducements to the men to enlist, not only in the first instance, but to carry on their service until it was no longer required. The Commissioners also recommended some arrangement with regard to the good-conduct pay, whereby it would be acquired in a shorter time, and they also suggested a mode of dealing with it under the direction of the Commander-in-Chief, whereby it would be made more acceptable than at present. He would not go into minute details upon the point, but would merely refer to the evidence, which he thought deserving the attention of the military authorities. The Commission did not find that the Limited Enlistment Act had in any way interfered with the readiness of recruits to enter the army; and it was proved that recruits did not enter as readily for permanent as for the limited service under the Act; in fact, it was only in accordance with human nature to suppose that it would be so. Another point with regard to the Act which the Commissioners were called upon to consider was the way in which men could be induced to renew their service after the first period had expired. They proposed to give the old soldier on renewing his service an extra pay of 2*d*. a day, and that he should, by arrangement with the Commander-in-Chief, be exempt from certain drill, and that he should be treated more on the footing of an old soldier than a raw recruit, and be exempted from some of the drills which recruits had to undergo. Such a modification would, it was thought, exercise a considerable effect in inducing valuable men to re-enter the army. But with regard to this question of re-entry some drawbacks existed. It was the opinion of most persons competent to form an opinion that a soldier in the ranks fitted originally for the discharge of duty of all kinds was not worth much after fourteen or fifteen years' service. Probably, provision might be made enabling men of this class to retire from the service at the expiration of a given number of years, and still to work out their claim to a pension by serving the remaining period either in the militia or some other force. He would not call it an army of reserve, because that would be giving a great name to a very little thing. The Commission thought, with the advantage of the 2*d*. a day in addition to the good-conduct pay, there would be no occasion to raise the pension, seeing that a man could retire with the ample pension of 15*d*. a day. The questions connected with the re-organization of the forces, so as to form an army of reserve, the Commission believed to be outside their powers; and, for himself, he might say that if it had been proposed to refer so large a question to the Commission he should have declined to serve. The intentions of the Government in that respect, as developed in the other House, fell far short of the exigencies of the case. A measure had been proposed which was complex as well as inadequate, the result of which would be to take from the militia, which the Commissioners recommended should be maintained at its full quota of 120,000 men, one-fourth of that number, who should be ready in case of an outbreak of hostilities to join *en masse* the Queen's army, and be ready to take the field. But if that were the full extent of the promised army re-organization, and all they had to hope for in the way of opening up our military resources, he was much disappointed. The number of our male population between the ages of eighteen and forty-two capable of bearing arms on an emergency was, he believed, 5,000,000. It was hard, indeed, then, if at least one-tenth of that number could not be imported by some simple arrangement into the ranks of the Queen's army and militia in a case of emergency. He would not be content until he saw the military organization of the country upon such a footing as would permit our placing in the field at least this number of men in the course of three weeks or a month after the suspension of diplomatic arrangements with any country in Europe; and he believed that if the Secretary of State for War were to address himself earnestly to the question, and without calling to his assistance a Commission, or a number of Commissions, would act in concert with the officers of the army and the illustrious Duke at their head with the law as it stood, such a scheme as he had described might be devised. Their Lordships would remember that although service in the Queen's army was voluntary, and that army existed but from year to year, by the vote of the House of Commons, service in the militia was compulsory, and that although compulsion to serve in it was suspended from year to year the power of compelling was not dead, but only dormant; and he was inclined to the opinion that it should no longer remain dormant. If they were to have the militia increased to any amount by Act of Parliament, he had no hesitation in saying that any Government bold enough to put the compulsory system into operation—if the voluntary system failed—would find themselves supported by the voice of the country and by a patriotic press; and that without very much greater expense, a scheme might be devised of passing men through the militia with better training than at present, and with a shorter period of service in the militia, and sending them to any army of reserve, where they might accumulate in large numbers until, including the Queen's army and the standing militia, a force might be brought together of at least 500,000 men. That was his opinion, and he believed also the opinion of many others; but it required great boldness and firmness on the part of the Government to handle; but it was one of those questions on which, if the Government were bold enough to enter, they were entitled to the support not only of those who followed them as a matter of course, but of every man who had the interest of his country sincerely at heart. In order to put himself in order he moved for a Return of the recommendations of the Commission for Recruiting, which had lately reported, and in company with it the number of those recommendations which the Government were about to adopt and the number which they decline to accept.

Moved, That an humble Address be presented to Her Majesty for, Return of the Recommendations of the Recruiting Commission of 1866, and the Steps taken thereon.—(*The Earl of Dalhousie.*)

THE EARL OF LONGFORD said, that he appeared accidentally on both sides of this Question. He was a Member of the Royal Commission of last year, of which the noble Earl who had just spoken was the Chairman; and he had since become a humble Member of the Government, which had to some extent disagreed with the recommendations of the Commission, and had adopted other propositions. He agreed both with the Commission and the Government. The recommendations of the Commissioners were twenty-eight in number, and in them he generally concurred; but he also put forward some suggestions of his own which were not adopted by the Commission. He must say, on reflection, that he could not help thinking that the Commissioners had rather directed their attention to matters affecting the condition of the soldier, in preference to the immediate question of obtaining recruits; and therefore when the time came for the War Office to consider their Report and what action should be taken upon it, it was decided—and he thought rightly—that a small immediate addition to the pay of all ranks would be preferable to those more remote advantages which had been proposed by the Commission. Both had the same object in view—namely, the improvement of the condition of the military service, so as to make recruiting more popular and successful. Another object was to make the recruiting service more respectable—in which he cordially agreed—and give the army a better character in the country than it generally enjoyed, and which sometimes he thought it unfairly bore. He had often regretted the manner in which the recruits for the army had been spoken of even by military officers, who six months afterwards spoke of the same men as noble fellows, whom they were proud to command. Recruits had been spoken of as "the dregs of the population," the "sweepings of the streets," "the riff-raff of the population," and other hard names, which they scarcely in all instances deserved. Undoubtedly the recruiting depôt was a sort of Cave of Adullum, open to the distressed and discontented classes; but he did not believe from the results that all who entered came under these derogatory descriptions. He certainly continued to think that, from whatever class the recruits were drawn, a direct and immediate addition to their pay affecting every recruit from the moment of enlistment would have a more speedy and satisfactory effect in filling the ranks than any postponed additions of pay and pensions, which, though excellent in themselves, did not immediately act on the minds of the population. During the last few months recruiting had been more successful, and the deficiencies of 4,000, 5,000 and 6,000 on the 1st of January in three successive years was now only 1,300. It was not, however, difficult to suggest reasons for this. It was notorious that work had been very slack, which was a condition favourable to the recruiting service. "It was an ill wind that blew nobody good," and the crisis in the City had a very favourable effect on the muster rolls. When the Commission was proposed last year, and he was asked to become a member, he must confess he had doubts whether the inquiry was altogether necessary, and he expressed his doubts to the Marquess of Hartington. The noble Lord thought otherwise, and at his instance he consented to become a member.

The subject of recruiting had been thoroughly considered by Lord Hotham's Commission, and all that remained to learn was further experience of the Army Service Act, passed in 1847, which introduced or revived the principle of limited enlistment. That Act was passed against the remonstrances of military men in both Houses of Parliament; and in their Lordships' House it passed with a very slight majority, which looked, on reading the division list, a party one, for proxies were called, and it was remarkable that the majority of the few military Members of their Lordships' House voted against the Duke of Wellington. The noble Earl on the cross-benches (Earl Grey) who moved the second reading of that Bill gave a complete military statement; but the speakers who followed remarked that it was one long argument against the necessity of his own Bill. The Bill, however, was passed. Expectations were held out that the measure would introduce a better class of recruits, who after their limited term of service would join an army of reserve; and there was even a happy dream that these superior recruits, further improved by military training, habits of discipline and good order, obedience, and even morality, would revert to the community as valuable members of society, and still further raise the character of the military service. But the result had been that superior recruits had not joined the army, the discharged soldiers had not joined the reserve force, and they had not yet heard that society had gained much by the return to its bosom of those of its members who had received moral training at Aldershot and Chatham. All that could be said of that Act was that its working had not proved so inconvenient and damaging to the service as had been expected. Of 100 recruits about fifty reached the end of their first term of service; of those fifty about half re-engaged; it has been more, but the proportion is declining; so that we lose only a little less than half of the best men in the service. This might not seem a very bad result numerically, but it was difficult to describe the inconvenience in regiments, the expense of passages, the difficulty of collecting a force, or of meeting the requirements of our Indian and colonial service, which were occasioned by the uncertainty whether soldiers would renew their engagements. He found during the deliberations of the Commission it would have been hopeless to propose any extension of the period of service; but he certainly thought that an extension of the first term from ten to twelve years was a step in the right direction; and he was glad that the Commissioners had turned a deaf ear to the suggestions which had very frequently been made, and which, no doubt, would still be made, as to the reduction of the period of service, and the establishment of enlistment for three, four, or five years. The fact was, that at present the period of home service was so short, and the conditions of home service on account of garrison duties and detachments so unfavourable, that there was no time for drilling or completing the training of large numbers of recruits. Even without such an accident as the Fenian campaign, the greatest inconvenience arose from the shortness of the term of home service. The noble Earl (the Earl of Dalhousie) mentioned some recommendations of the Commission. One of them, the appointment of an officer to superintend the recruiting service, had been adopted; but the noble Earl was aware that by the substitution of direct payment for prospective advantages so much money had been absorbed as rendered the adoption of other recommendations impossible. They would, however, be carried out as far as possible from time to time. With regard to the recommendation for the appointment of training schools on the same principle as training ships in the navy, he looked upon the suggestion with great favour and would do all in his power to get them established. With reference to barrack damages it was proposed that the troops should repair their own damages. The experiment had been tried at Parkhurst and found to answer well. He thought that the question of camps had pretty well been settled already for our troops were very scattered, and mixed very freely with their fellow-citizens in garrison towns. With regard to the army of reserve, the Government proposed to adopt one of the recommendations of the Commission, which gave the power of commuting the latter portion of a soldier's period of service with a view to his joining an army of reserve. He thought, however, that it was very unreasonable that the soldiers purchasing their discharge should be compelled to join the army of reserve, and he did not see how such a plan was ever likely to be adopted. But it must be observed that all successful systems of reserves, by whatever name they may be called, are based on conscription; for, if improved modes are adopted of taking men out of the ranks, such as by very short periods of service, some improved way of filling the vacancies must also be established. Parliament, however, had shown no disposition to consent to the principle of conscription, and while that disposition remained, coupled with an objection to increased outlay, we must submit to the mortification of having a force which had been described as scarcely sufficient even in a time of peace. The fact was that at present we were endeavouring to make a small army do the work of a large one. The numerical force of it was merely sufficient in a time of peace, and he would not encourage the hope of a good reserve without much bolder measures than any which had been yet proposed. He might also inform the noble Earl, who had expressed a strong desire that facilities might be afforded for the transfer of recruits from the militia to the army, that it was the intention of the Government to remit the 18*s.* 6*d.* now deducted from the bounty paid to the recruits on such occasions.

EARL DE GREY AND RIPON assured the noble Earl who had first spoken that he was quite right in supposing that there was no intention on the part of the Government of his noble Friend behind him (Earl Russell) of delegating to the Commission any portion of the duties which ought to be discharged by the responsible Ministers of the Crown. He was certainly, for one, of opinion that it was just as necessary to maintain the responsibility of the Ministers of the Crown in the present time as it was in former days. Still, however, their Lordships would probably agree in the opinion that the Letter of Instructions addressed by the Marquess of Hartington to the Commissioners covered a very large and important field of inquiry. It was perfectly true that at the time when the Commission was issued the public attention had not been specially directed by the great events which had but recently taken place on the Continent to the question of a large military re-organization; but, still, the Commissioners were empowered to take a wide range in their inquiry. He should not enter at any length into the remarks of the noble Earl behind him (the Earl of Dalhousie) on the proposed increase to the daily pay of the soldier, as that proposal would be fully dealt with in "another place." There seemed, however, to him to be a good deal of force in the argument employed by the noble Earl, that the proposed increase of pay would still leave the other causes of discontent undealt with, and that those causes of discontent would, when the increase had been firmly established, still call for remedy. With reference to the working of the Limited Service Act, he must say that he concurred in the spirit of the remarks of his noble Friend behind him in preference to those of the noble Earl the Under Secretary of State for War. It was obvious that the majority of the officers of the army viewed that Act with disfavour; but the noble Earl the Under Secretary of War must have looked at that Act and the discussion which took place at the time of its passing very cursorily to have described as he had done the able and argumentative speech made by the noble Earl on the cross-benches (Earl Grey) who had introduced the Bill to their Lordships. For his own part, he must say that his recollection by no means agreed with that of the noble Earl, nor did he think that the results of that Act had been contrary to what its promoters intended. No doubt that Act had, in one respect, somewhat disappointed expectation, that was to say, with respect to the resumption of service by men entitled to their discharge. It was expected by many that these men would have returned to the service; but, as the noble Earl had stated, nearly one-half of them had taken their discharge. He was not going to express an opinion as to the extending the period of service from ten to twelve years—if that measure were to be carried out it must be brought before the House in the shape of a Bill, when its merits could be discussed; but he would point out one fact with regard to that recommendation. It was perfectly true that an overwhelming majority of the officers of the army examined before the Commission were in favour of the change from ten years to twelve; but, with one exception, no question upon the subject appeared to have been put to the non-commissioned officers or privates, who could have given the best evidence as to what was likely to induce men in their station in life to join the army, and in that instance the witness said he did not believe the alteration would have any effect. There was, however, one thing which he hoped Her Majesty's Government would take into serious consideration. They all knew that when the early period of a man's life was past, any change in his employment or alteration in his mode of life was a matter of difficulty; and, of course, the older he was the greater would be the difficulties which a man so changing would have to encounter. If that was true with respect to a man in civil life, how much more true must it be of the soldier who was accustomed to be fed, lodged, clothed, and in every action of his life commanded by other persons? Every year, therefore, that was added to the length of his first engagement after a certain period tended to render him at the end of it less fit to take his place in civil life. And that was a question of importance not only as regarded the interests of the men, but also as regarded the recruiting of the army. He had heard military men who were opposed to the Ten Years' Enlistment Act say that it sent men back to civil life without the means of earning a subsistence, that they therefore led a miserable existence, and deterred others from joining the army. That was true to some extent; but he also thought it was often greatly exaggerated. But when the noble Earl implied that those who left the army were no acquisitions to the society to which they returned, their Lordships would find in the blue book an answer to that; because they were told that one great cause why these men did not re-engage was the ready employment which they found in railway companies and other great public establishments, on account of the discipline and good training which their ten years' military life afforded. The notion, therefore, that ten years' men gave the public a bad idea of the military life was much exaggerated; but the evil, such as it was, would be increased just in proportion to the number of years added to the ten years' service. That consideration was one well worthy of attention, and the Government must be prepared to meet it when the Bill on the subject came before that House. And, now, a few words upon a subject which the noble Lord opposite touched on so lightly—namely, the providing a reserve for the army. The attention of those whose duty or inclination had led them to bestow thought on military questions had been long directed to this difficult matter, though that of the public had not been attracted to it till very recently in consequence of the course of the German war, and the unexampled rapidity with which Prussia had placed a large army in the field, and augmented it from her reserve. But when we looked at this matter by the light of events in foreign countries, we should always carry along with us certain points which constituted a marked distinction between this and other countries. The first distinction—the geographical—was satisfactory. We heard of vast numbers of men—500,000 and 700,000—which formed the military organization of Prussia, Austria, or France. But we should always remember that those countries were much more liable to sudden invasion than we were. He was not one who held that an invasion of this country was an impossibility, nor was he insensible to the change which had been produced, disadvantageously for us, by the adoption of steam navies and the increased powers of locomotion. Such a charge could not be brought against any Member of the late Government; because from 1859 to 1866 they had adopted a series of measures with a view to meet the altered circumstances of the case and add to the strength of the country. But it must be admitted that that upon which we had relied—at times, perhaps, too much—the sea, constituted a barrier much stronger and more defensible than any land frontier. But, on the other hand, we had not that compulsory system which formed the basis of the great Continental military organizations. And, with regard to the reserve, which formed the other portion of the military system of Continental Powers, it should be borne in mind that they employed a constant, far-reaching police surveillance, which enabled them when a man had left the army to keep their eye upon him, to know what became of him, and to call him back into the ranks at any moment. There was also in the nature of our military requirements an important difference which ought not to be overlooked—he meant the foreign service which was required of our troops. Austria and Prussia had no foreign service; the foreign service of France in Algeria applied to by far the smaller portion of her army. But, as for us, we were just now considering ourselves fortunate with regard to our infantry, who formed the staple of our army, that we had a fair hope of requiring them to serve only ten years abroad for five at home—that is, that two-thirds of our force should be employed on foreign service while one-third served at home. These were things which we must take into our consideration when we compared our military institutions with those of other countries. There was another point to which he wished to refer, and in doing so he reserved to himself the amplest power to give to the proposals the fullest consideration. It was now only a week since the right hon. and gallant Gentleman the late Secretary of War (General Peel), whose resignation of office he, and he believed every one on both sides of the House, sincerely regretted, had made these proposals known to the public. Any proposals coming from the gallant General were entitled to their best consideration. The few observations which he should make, therefore, ought to be looked on rather in the nature of doubts than of positive opinions. On the question of reserves, he entirely agreed with the gallant General, that if they had a reserve at all it must resolve itself into two parts—a reserve for foreign service and a reserve for home service. By a reserve for foreign service he meant a reserve of men who could be called out immediately for service abroad on the occasion of foreign war. And by a home reserve, men who would only be available in the case of invasion. With respect to the reserve for foreign service, he believed that the Government proposal contained the germ of an important arrangement. As he understood, the intention of Her Majesty's Government was that in regiments at home men should be allowed to retire on furlough before the term of their service had expired, with the simple liability of being recalled to the ranks in the event of war.

THE EARL OF DERBY was understood to say that this only applied to men who had returned from foreign service.

EARL DE GREY AND RIPON said, he could not help thinking that the principle of that proposal was capable of a wider and more extensive application. He took the principle to be this—that they should shorten the first term of service by granting unlimited furlough with the liability of being recalled to the ranks on the occurrence of war. He believed that that plan was capable of greater extension than had been given, and he thought he saw in it the germ of an arrangement which would give them an army of reserve of considerable strength. He did not like using the term "army of reserve," because phrases of that description were likely to mislead, as implying a very large number of men. But whatever the force might be called it was quite clear that anything under 40,000 or 50,000 men would not meet the requirements of the case. But when he came to consider the other portion of the plan he must confess, as far as he understood the details, he entertained doubts of its advisability. It was proposed to obtain engagements from not more than a fourth of the men in the militia, which would authorize their transference to the line. It ought to be considered whether it would not be wise to keep the home reserve distinct from the foreign reserve. If 30,000 men, and those probably the most soldierlike, were withdrawn from the militia at a time of great emergency, the militia regiments would be weakened, and double recruiting would have to be prosecuted for the militia as well as the line. But, under any circumstances, the training the men got in the militia would be necessarily inferior to that obtained by men to be secured in the other way suggested by the Government. Besides, they would have to take men from the militia of all periods of service, and even five years' service in the militia would give only a maximum of six weeks' training in any one year. That could hardly be called training that would qualify men to take their places in regiments of the line and to form part of an efficient reserve. Arrangements might be made to meet that objection, but it deserved serious consideration. There was a feeling on the part of the public that with an army of reserve there ought to be a countervailing reduction of expenditure on the army. Looking to the large amount of our Army and Navy Estimates, it ought to be the constant endeavour of every Government—and it was to a greater extent than Governments received credit for—not to add to our expenditure, and if more was required to be spent in one direction, to make a countervailing reduction in another. If we had to consider only the wants of the home service, the establishment of a large reserve in England would give us the means of a considerable reduction in the number of men in the army; but we must bear in mind that the number of men at home was determined by two distinct considerations—our home requirements and the requirements for colonial relief. We should soon arrive at a point at which the question of colonial reliefs would become the really determining question of the number of men to be kept at home, and that was a question of general policy and not of military organization. He would only point to this matter as showing the difficulties that were involved. There were two forces which now constituted the home reserve—the Volunteers (including the Yeomanry) and the militia. It had been rightly pointed out the other night that from the constitution of the Volunteer force, composed as it was of men engaged in commercial and industrial pursuits, it could not possibly be placed in camp or garrison except at the last moment, and when an emergency actually arose. Therefore, the Volunteers could only constitute the second portion of our home reserve. The first portion was the militia; and it was because of that that he deprecated mixing it up with the reserve for foreign service. The militia ought to be kept intact. It had too often been said that the militia had been disregarded of late years; he must give that statement a most complete denial. Lord Herbert, from the time he took office, directed his attention to the militia as much as to any other portion of our military force; and it was through his exertions, and the exertions of those who had succeeded him, that the militia had been placed in a more satisfactory condition than it was at the time it was disembodied in 1859. He did not deny that it might be improved in efficiency both as to officers and men. There was not a sufficient number of officers of military training and experience; and this was well worth the consideration of the Government. The period of training was not limited only by financial considerations. One object was to obtain men who, when they had completed their training, would return to civil life and find continuous employment. Militia training must never be so long as to break off a man's connection with his previous employer, and make it difficult for him to find employment again. These were matters well worthy of consideration. He accepted the warning on the subject of reserves contained in the Report of the Royal Commission, and agreed that it was urgent the question should be settled at an early period; but although he deprecated delay, he deprecated still more undue haste. It was easy to give; it was impossible to take away. They could give extra pay; but when once it was given it could not be taken away. They might form a new force and enter into engagements of a novel character with the men; and whether the force was practically useful or not they must maintain the force and the engagements. Therefore it was a matter in which they ought to proceed without undue delay, but at the same time with the utmost deliberation; and he was confident it was only by full, fair, and deliberate consideration that they could overcome the many difficulties which beset this most important question.

The Duke of CAMBRIDGE: My Lords, none can know better than my noble Friends sitting on the opposite side of the House the difficulties which beset this question. They arise, on the one hand, from the great freedom which is enjoyed by every subject of the Queen, and from the facility with which every individual of any distinction or military experience having any idea of his own can suggest improvement in our military organization. On the other hand, the House of Commons wisely, prudently, and necessarily looks after the expenditure of the country, which must not and ought not to exceed that which is absolutely necessary. On the one hand, we are told that the military authorities are not doing this and that which would be for the advantage of the soldier; and, on the other, we are told by the House of Commons, which holds the purse-strings of the nation, that we are spending a great deal too much money, and that, so far from entering into new arrangements and organizations, we ought to curtail our expenditure, and make our present organization less expensive. I think there is great reason and justice in what is said on both sides, and I only wish to impress upon your Lordships that these facts place the military authorities in a most delicate and difficult position. This debate has been produced by the Report of the Royal Commission on Recruiting, to the appointment of which the Marquess of Hartington assented, because of a well-founded impression which had got abroad—an impression which I fully shared—that the difficulties of recruiting in this country were becoming so grave as to endanger the efficiency of the army, and that the matter ought, therefore, to be fully investigated. The object with which the Commission was appointed was to obtain recruits; and the real question is, how they are to be obtained. In theory there is no question that if you improve the condition of the soldier it is far more to his advantage than an addition to his pay; but it is not so regarded practically, it is pay that will induce men to come, and not improvements of their condition. I admit that the reasoning does not appear sound, but in practice it is found to be so. My noble Friend who brought this question forward (the Earl of Dalhousie) asked me, when a witness before the Royal Commission, whether I agreed in the various recommendations of the Commission? I entirely agreed with my noble Friend that the not making the soldier pay for his necessaries and barrack damages would be a very great and desirable object, and would give great relief to the soldier. These advantages, however, would not, in my opinion, bring so many men into the army as an addition to the soldier's pay; for, after all, this is merely a question of going to the labour market. This country boasts, and justly boasts, that it is the only country, except that great American Republic with which we are so intimately connected, in which there is no forced conscription. With the exception of Great Britain, there is not a single country in Europe, however small, where there is not a conscription. We are therefore obliged to go to the labour market in order to get men to serve the State, and men serve the State not so much for honour and glory or anything of that sort, as for the pounds, shillings, and pence which go into their pockets. They look to that more particularly. I feel satisfied that if one thing more than another would induce men to enter the army it is additional pay. This, of course, is entirely a question for the consideration of the Government. I am only giving my individual opinion upon it as a Member of your Lordships' House, and as holding a high position in the army. I think that the proposal for additional pay in preference to the other recommendations of the Commissioners is a sound and judicious one. At the same time, I am bound to say that some of the recommendations of the Commission are of the greatest possible value, and great advantages might be expected to result from their adoption. These are questions, however, which are not the main consideration. The question which I have to consider is this—"How am I to get the men I require for the army?" And my answer is that increased pay will bring the men more readily than anything else. If I had my choice, I should prefer giving the additional *2d.* a day to those men who have served ten years; but then it should be recollected that men who have served that period will have *3d.* a day more than at present, and to that extent the Government have gone beyond the recommendations of the Commission. My noble Friend thought that sufficient distinction had not been made between the raw material and the men who re-engaged after ten years' service, and he said there was a strong feeling in the army against the Ten Years Enlistment Act. I believe that that is the case, though certainly I myself entertain no strong objection to it, but, on the contrary, am prepared to support it to the fullest extent. At the same time, I am inclined to think that it does greatly increase our difficulties in enlisting for the army. In my opinion, when once a man makes up his mind to become a soldier he does not think about the length of time he will be required to serve. Whether the term of service be five, ten, fifteen, or twenty years does not much matter to him at that time; but when a man gets a little older and reflects upon his position he begins to consider whether he shall re-engage or not. The reason why I prefer twelve to ten years is, not because I think it makes the slightest difference to the men on enlistment, but because it will enable men to look forward to a shorter period of re-enlistment. I do not in any way condemn the Ten Years Enlistment Act, though I think it has produced great difficulties in the army. In the first place, you want one-fourth more recruits than you did before, as only half the men re-engage after the expiration of their term of service. Now, as regards the illustrious Duke (the Duke of Wellington) who has been alluded to as having been a party to the first Limited Enlistment Act, I thought it right to look back and see what was said by that great statesman, who was always listened to by your Lordships with great attention. His opinion was, that as long as he was satisfied that the old soldiers would re-engage and remain in the army he should cordially support the Bill; but if he had thought that a contrary result would be produced by the Bill he should have opposed it. Now, my Lords, I stand upon exactly the same ground. I am aware that there are a great variety of opinions on this matter, and that there are some persons who not only regard the Ten Years Enlistment Act as a most satisfactory measure, but think that the principle of it ought to be extended. I must point out, however, that there has been a very considerable increase in the Army Estimates on account of the large number of ten years enlistment men whose term of service will expire this year, and whose places will have to be filled up by men who will receive bounties. The expenditure will be very large, while at the same time the efficiency of the regiments will be greatly lessened. My noble Friend has recommended a system of furloughs; but he must remember that for every man on unlimited furlough there must be a man enlisted to take his place; and that again will add to the expenditure of the country. As to the period of service in the army reserve, I should have preferred commencing with ten years; but as seven years has been recommended, I shall support the shorter period in order that the experiment may be tried. As regards the question of reserves a great difficulty has arisen. As you have not any kind of compulsion on the men, and dare not even re-introduce the ballot for the militia, how are you to get those 500,000 men referred to by my noble Friend for an army of reserve for this country? Of course, if they can be obtained I shall be the first to accept, with gratitude, the force thus placed at the disposal of the country. It will, however, involve so large an expenditure that I am at a loss to understand how to propose to raise so large a force. Now, what is a reserve force raised for? It is raised in order to make up the *cadres* of regiments. The whole question is one of the most difficult ones of the day. We have very small regiments and do not know how to increase them. My Lords, if we could raise our regiments to even 1,000 men per battalion that would give us something to commence with; and, in case of a war—should such a misfortune occur—we should be enabled to get on. I remember what occurred at the time of the last great war in which we were engaged—one in which I had the honour to take a share. Every regiment that went abroad at that time was found to be so weak in numbers that it had to call for volunteers. The 93rd called for volunteers from the 42nd and the 79th. But the 93rd had scarcely embarked when the 42nd was ordered out; and of course the latter had become so reduced in strength that it had to call for volunteers. This was done, and it received men from a regiment which almost immediately followed it. Those several regiments arrived at the Crimea about the same time, and there they were each with their own men serving in other regiments. I should be sorry to see such a state of things again, and the only way we can avoid it is by an army of reserve. I should prefer infinitely men who had served for seven or eight years in the army; but in this free country, unless you kept such men in your pay, you would have no hold on them. It is impossible to lay your hand upon any man except one who is actually a furlough man. In the militia, however, you have men who are bound to come together for training. It is stated that it is unadvisable to mix up the Line with the militia. Well I think it is not advisable to do so; and therefore I should not have recourse to this system if I could avoid it; but I do not see how we can avoid doing so, if we want an army of reserve. One objection made to the plan is that it would diminish the efficiency of the militia; but really I cannot see how this would be the result. One of the first things we did at the time of the last war was to call on the militia. Men and officers volunteered from the militia into the Line, and no doubt this would be the case in the event of another war. I think the effect of adding those additional men to the militia in time of peace would be calculated to increase rather than impair the efficiency of the militia. My Lords, we must all bear in mind that the question of finance—the question of expenditure—has to be considered in dealing with this matter; and when we view the plan of my right hon. Friend (General Peel) in connection with this question, I think we must arrive at the conclusion that it is the most advantageous that could be adopted on a very economical principle. I take it for granted that my right hon. Friend had good reason for bringing in the Supplementary Estimate for the reserve with that for the recruiting; but the cost of the reserve is to be only £50,000, and in return I am convinced it will do the State some service. In reference to some remarks which fell from my noble Friend (the Earl of Dalhouise) on the financial result of the proposed addition of 2*d.* to the pay of the men, I may observe that I have been told, and certainly understood, that the expenditure involved in the plan recommended by the Royal Commission far exceeded that which will be required to carry out the plan of Her Majesty's Government. I am not at all responsible for the decision on this point. It was a question for the War Department; but, on economical grounds, I believe that the proposal of the Government is a better mode of dealing with the matter than the one suggested by the Royal Commission. There is only one other point to which I feel it necessary to allude — that of the camps. Now, I believe that the objections to the camps in winter are a bugbear. Without intending any disrespect to the sister island I will ask any man whether such quarters as Mullingar, Fermoy, Templemore, and others which I might mention can be compared to Aldershot, a place within thirty miles of London, and from which an officer can come up to town in less than two hours. In fact, it is not a camp—it is a station. As for the men, they are better taken care of there than anywhere else. They have less duty there, and they have about 3 per cent sick. In fact, every attention is paid to their comfort and convenience. As to calling it a camp, in the ordinary sense of the word, my noble Friend must forgive me when I say that it is no such thing. In summer there may be some camp life there, but every man is well housed in winter. The huts for the officers may not be so comfortable—comparatively they are not so comfortable—as those of the men; and this is the reason why we hear so much about the matter. Do not let me be misunderstood. Do not let it be supposed that I think the officers' quarters ought not to be cared for, because I think quite the contrary. We have done an immensity for the men, and very little for the officers; and therefore I should be glad to see something done for the latter; but, at the same time, I must say that what is alleged against those camps, on the ground of their discomfort, is the greatest nonsense possible. It is a great error to suppose, either in one respect or the other, that the camp is not a place well suited for the purpose to which it is now applied. In conclusion, my Lords, I beg again to express my sense of the importance of this whole question, and to add that I think good results must follow from discussions such as we have had this evening.

Earl GREY said, that having had an opportunity of fully explaining his views on the subject before the House in his evidence when examined by the Commissioners on Recruiting, he had not anticipated that there would be any occasion for his taking part in the present debate. But the noble Earl the Under Secretary of State for War had devoted so much of his speech to an unsparing condemnation of the Act for Limiting the Term of Service in the Army which he (Earl Grey) had been responsible for recommending for their Lordships' adoption twenty years ago, that he felt bound to trouble the House with a few observations in vindication of a measure which he was still convinced was a wise one. The Act in question had two main objects; the first of these was to render the army more popular among the classes of the population which afforded the largest number of recruits; the next to endeavour to provide a means of increasing the effective strength of the army in the least possible time in the event of a war breaking out between this and any other country. In order to make the army popular it was necessary above all things to convince the friends and relatives of those desiring to enlist that it was for the advantage of their connections to enter the army. The inquiries which he made more than thirty years ago, when he first filled the office of Secretary at War, satisfied him that no small part of the unpopularity of the army arose from the belief on the part of parents that they would never again see their sons who enlisted. He found that this impression seriously affected the success of the recruiting sergeant. Owing to the long period of service then exacted, and the neglect of the most necessary measures of sanitary improvement, this belief was but too well founded, as a very small proportion of our soldiers in those days ever returned to their homes. But if men were enlisted at the age of eighteen, and were then enabled to come back after ten years' service, having received an efficient training in the meantime, not merely with the right of entering the army of reserve on terms of great advantage to them, but also with the assurance of commanding the best employment in civil life for which their training would have fitted them, it was reasonable to expect that the service would speedily become popular in every village. It was further contemplated by the authors of the Act that soldiers, at the end of their ten years' service, should be induced to accept their discharge on terms by which a hold would have been retained over them, so that the country at a moment's notice would be able to call them back to their old regiments for service at home, and thereby to strengthen their depôts and free the regular army for foreign service. These were the views which dictated the measure of 1847, which, according to the noble Earl, had proved a complete failure. He did not deny that it had failed to fulfil the expectations of its authors. But why? Simply because the plan as they intended it had never been tried. Unfortunately the officers of the army from the highest to the lowest had generally viewed the scheme with feelings of dislike, and had opposed to it a resistance which had effectually deprived it of all chance of success. In all professions, and in none more strongly than in the army, there was a dislike among those who had risen to eminence in it to depart from beaten paths. Now, the first requisite of any scheme was that a system of training should be established for the men, which would enable them not only to be more serviceable while in the army, but to earn a respectable living when they retired from it; the whole thing turned upon that. At the time he spoke of, it was well known that when a man of good character was discharged from the Sappers and Miners (and it was a rare exception to find a man of bad character in this corps, which was distinguished for its good conduct) he was perfectly certain to succeed in the labour market, and to obtain good employment in civil life, because the training he had undergone made his services so valuable. What had been done in the case of the Sappers and Miners might be done with the line; the soldiers of the line might receive the same training as the Sappers, which would not only ensure them good employment when discharged, but also render them far more valuable as soldiers; and this he said on no light authority. The First Napoleon stated over and over again, in his writings, and in his conversations at St. Helena, that in time of peace every soldier ought to be instructed not only in military drill, but in some industrial employment, and especially in the use of the spade and of entrenching tools. This, he said, was the practice of the Romans, who did not allow a soldier to take his place in the ranks of the legion till he was thoroughly instructed in this sort of labour as well as in the use of his weapons. This system Napoleon declared to deserve the imitation of every military nation, and spoke from his own experience of the great advantage of having soldiers skilled in civil labour. He said that the French Army in Egypt, having been raised at an early period of the French Revolution, included a large representation of skilled labour. Owing to this, when it was cut off from all communication with France by our superior naval force, the aptitude of the soldiers composing that army yet enabled it to provide for all its own wants, and to maintain themselves by the resources they created in the country. In the short interval afforded by the Peace of Amiens Napoleon pursued this system of industrial training, and the army with which he threatened us at Boulogne, and afterwards won the battle of Austerlitz, he declared to be the best he ever had, because it had undergone this educational process. In his later war he said he had far inferior armies, because the heavy demands for men did not allow time for the proper training of conscripts before they took the field. The policy recommended by the first Napoleon had been since followed to a great extent in the French army. He had himself some years ago had an opportunity of seeing in the camp then held at Boulogne a striking example of what could be accomplished by military labour; the huts, roads, gardens, everything connected with that encampment had been executed by the soldiers themselves, without any help from extraneous labour, as he was informed by the officers who very courteously showed him the establishment; and he understood that since the camp had been transferred to Chalons the same system had been followed. It had been found in France that not only was this system economical as regarded outlay, but that it was also attended with great advantage from providing healthy occupation, mental and bodily, for the men. But when we decided to form a camp everything was done for the soldier instead of by him; even such a matter as the draining of the ground was carried out by paid labourers, though it would have been a most useful piece of education for the soldiers to have executed the work. Up to the present moment not a single attempt had been made to introduce a system of industrial training for the army; but this was the most important proposal in the scheme of 1847, and he therefore denied that it could be said, with any correctness, to have been tried and to have failed. Then, again, instead of the ten years' men being encouraged to take their discharge, as was suggested in that scheme, every effort was made to retain them. The military authorities not understanding, as he supposed, that it was of the very essence of the scheme that soldiers should frequently return to their homes after a short service in the enjoyment of advantages which should induce others to enlist, had endeavoured, as far as possible, to induce men to re-enlist at the end of their first term of service, and had discouraged their entering into the reserve. This had arisen from the short-sighted fear of losing men from their regiments, as if it was not a gain instead of a loss to allow 100 men to leave the army after their ten years' service, provided that 500 men were thus encouraged to enlist in their place, and that the 100 men could still be fallen back upon in case of an emergency. For his own part, he still believed in the scheme of 1847, and only felt that it might well have gone a little further instead of stopping where it did. Before the Commission, he had earnestly recommended in his evidence, and in a letter which he had afterwards addressed to his noble Friend behind him, the Chairman of the Commission (the Earl of Dalhousie), that soldiers, instead of being persuaded to re-enlist, should, on the contrary, be afforded the utmost facilities for taking their discharge. He would not allow a man to take his discharge before the expiration of the first period of his service unless he enrolled himself as a soldier of reserve; but the very moment a man was declared to be thoroughly well acquainted with his profession and a really trained soldier, then he would permit him to take his discharge, if at home, on condition that he enrolled himself as a soldier of reserve; and he would not encumber these soldiers of reserve with many strict regulations; all that he would require of him would be that he should present himself at the nearest depôt for one week in each year for training, in order that he might not forget the knowledge he had acquired, and in return for this he should be allowed to reckon two years in the reserve as equal to one in the ranks towards establishing his claim to pension. That limited period of training, he was convinced, was sufficient to prevent a soldier from forgetting what he had once learnt in the army. One other condition he would impose upon the soldier of reserve: that if a war with this country broke out, he should be liable at any time to serve with his own regiment, but at a double rate of pay, that is, at the same pay as was now allowed to the enrolled pensioners. Thus a number of trained soldiers would be really at command at the very time when they were most valuable; and when disbanded they would tend to make the service more popular. He was persuaded that such a system would draw numbers of men back to their standards and marvellously increase the army. He would remind their Lordships that under the present circumstances of the world—as was seen by the remarkable experience of Germany in the past year—the real danger of a country was encountered during the first fortnight of a war, and he insisted that this country, with the large armies now kept up on the Continent and modern facilities for suddenly moving large bodies of men, could not be safe unless it could throw into the ranks of the regular army a large reserve of trained soldiers within a fortnight of the breaking out of war. That was what the Prussians had found of immense value, what England would find of equal value, and what England could obtain by the means he had suggested. It had been said that the old soldier was invaluable in the army, and should not be parted with at any cost. It was quite true that it was of great importance that there should be a certain proportion of old soldiers in every regiment, and especially among the non-commissioned officers; but it was not less true that there was also a great advantage in having troops employed on active service mainly composed of men in the vigour of their age. Experience proved that the proportion of men fit to appear under arms was very much larger among the younger men than the older, because the ratio of sickness increased with age. Moreover, the older men either married or plunged into vice, and the illustrious Duke (the Duke of Cambridge) knew how inconvenient it was to have a number of married men in the army. If his views were sound, he thought it followed that recruiting for ten years' service was not so ill-advised a proposition as some supposed; but it was certain that one of two courses must be pursued—either the service must be made attractive or else the War Office must catch men as it could, and, having caught them, hold them to the last, and get everything possible out of them. The illustrious Duke had said these questions were all matters of money; he (Earl Grey) was prepared, however, at the proper time, to show that the adoption of his recommendations would cause no increase of expense, but, on the contrary, would tend to economy by reducing pensions and various charges to a larger amount than the new expenses it might create. At all events, he was sure it would be far more economical than the costly measure of direct increase of pay; and he agreed with the noble Lord who had introduced the question (the Earl of Dalhousie) that it would have been wiser, instead of giving that increase, to have relieved the soldier from some of those small charges which he regarded as grievances; because, in time, he would not think of the increase which he had received, but would still talk of his grievances, so that in the end the country would have both increased his pay and removed his grievance as well.

THE DUKE OF CAMBRIDGE said he entirely concurred with the recommendation which had been thrown out of giving to the soldiers an industrial as well as military training; but so short was England of troops, so much were the soldiers moved about, that industrial occupation was out of the question for want of time. With reference to another matter he could assure his noble Friend that officers would be only too glad to avail themselves of what he had suggested, if they had the power.

THE EARL OF DALHOUSIE expressed his gratification at having been the means of bringing on the discussion of the evening; but he adhered to the opinion which he had expressed in the early portion of the evening, that the private soldiers regarded being kept at Aldershot during the winter as a great grievance. This operated as a serious drawback to enlistment in the army. The evidence which had been given before the Commission by private soldiers on this point had been given most readily, and without a moment's hesitation.

THE EARL OF LONGFORD apologized for having forgotten to say that no objection would be offered to the noble Earl's Motion.

Motion *agreed to.*

House adjourned at a quarter past Eight o'clock, till To-morrow, half past Ten o'clock.

* * *

HOUSE OF COMMONS,

Thursday, March 14, 1867.

MINUTES.] — SELECT COMMITTEE—On Mines *nominated.*

SUPPLY—*considered in Committee*—NAVY ESTIMATES [R.P.]

PUBLIC BILLS — *Ordered* — Grand Juries (Ireland); Bankruptcy; Judgment Debtors *; Bankruptcy Acts Repeal *

First Reading — Grand Juries (Ireland) [73]; Bankruptcy [74]; Judgment Debtors * [75]; Bankruptcy Acts Repeal * [76].

Second Reading—Court of Chancery (Ireland) [47]; Lyon King of Arms (Scotland) [44].

Considered as amended—Oyster and Mussel Fisheries * [61].

Third Reading—Metropolitan Poor [66].

BOARD OF TRADE REPORT ON PRIVATE BILLS.—OBSERVATIONS.

MR. STEPHEN CAVE said, it had been the practice of the Board of Trade to prepare Reports on the various Private Bills introduced into Parliament, and this involved considerable labour and occupied much valuable time in the office. The expense, too, was considerable, amounting last year to more than £300 for work done out of the office; besides the cost of printing and distribution, yet the Reports were usually consigned to the waste-paper basket without being looked at. The preparation of such Reports was not required by any Act of Parliament or Standing Order, except those which affected tidal-waters or harbours, which were reported upon under the Harbours Transfer Act of 1862. It was proposed, therefore, that henceforth these only should be reported upon. He would therefore move that the Board of Trade present to the House a Report on the following Bills, being all those which were of the character he had mentioned:—Swansea Valley and Harbour Junction Railway, Solway Junction Railway, Carnarvon and Llanberis Railway, Caledonian Railway (Forfarshire Works), North British Railway (Abandonment, &c.), Thames Embankment (Chelsea), Thames Subways, Paignton Water, Imperial Gas, Winestead Level Drainage, Gaslight and Coke Company, Witham Drainage, and Holderness Embankment and Reclamation.

Motion *agreed to.*

BANNS OF MATRIMONY.—QUESTION.

MR. MONK said, he wished to ask Mr. Attorney General, Whether the attention of Her Majesty's Government has been called to the doubts which have arisen as to the proper period for the publication of Banns of Matrimony during the time of Morning Service, and to the diversity of practice consequent thereon; and, whether it is the intention of Her Majesty's Government to introduce any Measure for removing such doubts?

THE ATTORNEY GENERAL: The subject, Sir, is under the consideration of the Government, but the course to be taken has not yet been decided upon. If the hon. Member will repeat his question in the course of a week or ten days I hope to be enabled to give him an answer.

PARIS UNIVERSAL EXHIBITION.

QUESTION.

MR. AKROYD said, he wished to ask the Secretary to the Treasury, Whether his attention has been called to the very incomplete state in which the British portion of the Paris Exhibition is now placed; and, whether he intends to have it completed in a manner worthy of the commercial dignity and importance of this Country?

MR. BERESFORD HOPE said, he wished at the same time to know whether there is any reasonable expectation that the sum of £116,000, already voted, will be exceeded, and to what amount?

MR. HUNT: Sir, the question of the hon. Member for Halifax seems to imply that the Secretary to the Treasury has the direction of the works at the Paris Exhibition. I am happy to be able to state that that is not the case. I will, however, read a statement which has been made to the Government by the executive British Commissioner—

> "The present incomplete state of the British portion of the Exhibition is necessarily so, because the work is not yet done, but is only in progress. At present the Exhibition is like a house which is not furnished, but it will be completed and properly decorated within the sum provided by the estimate, and on the 1st of April."

That, I apprehend, is an answer to the hon. Member for Stoke (Mr. Beresford Hope). Since that Report was sent to the Privy Council I have also received a Report from the person in charge in Paris, who says—

> "The English Exhibition is more advanced than that of any other nation, and it will be ready for opening on the 1st of April. The arrangement for the Exhibition of the objects is generally thought to be one that will give better opportunities of displaying them than the system adopted by any other country.

MR. CRAWFORD: By whom is that signed?

MR. HUNT: By Richard Thompson.

REPRESENTATION OF SCOTLAND.

QUESTION.

COLONEL SYKES said, he would beg to ask Mr. Chancellor of the Exchequer, Whether it is the purpose of the Government to bring before the House this Session a Reform Bill for the representation of Scotland; if so, whether the principles of representation to be adopted in the Reform Bill for England and Wales will be applied to Scotland; and whether any attempt will be made, to a greater or less extent, to adjust the number of Representatives in Scotland to the present wealth and population of the country?

THE CHANCELLOR OF THE EXCHEQUER: Sir, it is the intention of Her Majesty's Government to introduce a Bill to Reform the Representation of Scotland; but when it will be introduced it is not in my power at the present moment to state. Probably in the course of a short time it may be in my power to give this information. With regard to the principles on which it will be framed, they will be the same as those we shall recommend for the representation of England; of course, with such alterations as the difference between the laws of the two countries shall render necessary. With regard to the question of increasing the representation of Scotland, I beg to say that subject is under our consideration. We are giving it our best consideration, and we shall decide that question upon its merits.

IRELAND—WATERFORD ELECTION.

QUESTION.

MR. LAWSON said, he wished to ask Mr. Attorney General for Ireland, Whether he has taken any steps to investigate the two cases of Homicide which occurred at Dungarvan, and which formed the subject of the Coroner's Inquests held there; and, whether his attention has been called to the observations of Mr. Justice O'Hagan to the Grand Jury of Waterford upon that subject?

THE ATTORNEY GENERAL FOR IRELAND (Mr. MORRIS) said, in reply, that two inquests were held at Dungarvan upon the bodies of two persons who met their deaths at the county of Waterford election. Those inquests were returned to the Crown Office, and through that office to the Crown solicitor of that circuit. On the 5th of February the depositions and the finding of the jury were laid before him, and on the 16th of February he gave instructions to the Crown Solicitor to the following purport:—

> "Without coming to any conclusion as to the legal character of the homicides, I think every inquiry should be directed to ascertain by whom the homicides, or either of them, were caused, and of identifying the individuals. The Crown Solicitor should communicate with the county inspector of constabulary to ascertain if any faithworthy person can depose as to identity; he should also apply to the military authorities for the names of the soldiers engaged at Dungarvan, and if any

faithworthy person comes forward, or can be found, who can identify the individual soldier or soldiers alleged to have caused the death of O'Brien or Keily, a communication should be made to the colonel of the regiment to have the soldiers who were at Dungarvan paraded for the purpose of identification."

He had received various communications from the Crown Solicitor subsequent to those instructions, and he felt satisfied that the Crown Solicitor had used every possible exertion to identify the individuals in question. With regard to the second branch of the question, Mr. Justice O'Hagan was reported in *The Freeman's Journal* newspaper to have said, in charging the grand jury on the 5th of March—

> "There were two cases of homicide arising out of the late election, in one of which the jury had found a verdict of 'manslaughter,' and in the other a verdict of 'wilful murder.' Bills could not be sent up to them at the present assizes in either of those cases, the occurrence of which he deeply deplored, and trusted that the cause of them would be made the subject of searching investigation."

He thought it right to say that he attributed very little importance to the finding of the jury in one of these cases, in which they found a verdict of wilful murder. Although the counsel for the next of kin to the deceased closed an excited and exciting speech by demanding the highest verdict of the law, which was manslaughter, the jury, with a feeling of liberality which the learned Gentleman could not have imagined, actually found a verdict of wilful murder.

GREENWICH HOSPITAL.—QUESTION.

SIR CHARLES BRIGHT said, he wished to ask the Secretary to the Admiralty, If, as a portion of Greenwich Hospital has been granted to the Seamen's Hospital Society for seamen of the Mercantile Marine, the Government will also grant a portion of the unoccupied space, upon the same conditions, for a public hospital for the reception of sick and diseased persons belonging to the borough of Greenwich?

MR. DU CANE, in reply, said, it was perfectly true that the Government had sanctioned a loan of a portion of the unoccupied part of the Hospital to the Seamen's Hospital Society, the Government, however, reserving the power to resume it if, in the event of a naval war breaking out, or any other contingency, the accommodation was needed in the interest of the seamen of the Royal Navy. It was thought that the Mercantile Marine had a strong claim for some further direct share in the benefits of Greenwich Hospital, to the funds of which it had largely contributed. The Government, however, were unable to admit that a similar claim could be urged with equal justice by any portion of the community which had no direct connection with Greenwich Hospital, and which had never contributed to its resources. To divert any portion of the building of Greenwich Hospital to such a purpose would be to sanction the application of the building to purposes directly contrary to the intentions of its founders, and would materially enhance the difficulty which might arise if on any contingency the Government should think it necessary to regain possession of the unoccupied portion in the interest of the Royal Navy. And, therefore, however desirable an object in itself the establishment of a local hospital for the borough of Greenwich might be, he could hold out no hope to the hon. Member that the Government would ever be likely to sanction any appropriation of the building of Greenwich Hospital for such a purpose.

NAVY—CHAIN CABLES AND ANCHORS.

QUESTION.

MR. LAIRD said, he wished to ask the Secretary to the Admiralty, Whether, as all the Chain Cables and Anchors manufactured in the Country are required, by the Act of 1864, to be tested to the Admiralty standard, the Board have terminated, or intend to terminate, the Contract between the Admiralty and Messrs. Brown, Lenox, and Co., and to open-up to the competition of respectable makers the future supply of Chain Cables and Anchors for Her Majesty's Service?

LORD HENRY LENNOX said, in reply, that the contract with the Messrs. Brown, Lenox, and Co., with regard to cables, was only made in 1862, and the Admiralty had no intention to terminate it at this time. With respect to the contract for anchors, the usual notice would be given that it would not be renewed. As to the latter part of the hon. Member's Question, he had to reply that Her Majesty's service was so amply stored with anchors at this moment that he should be sorry to fetter the judgment of his successor on the subject of throwing open the future supply to competition.

COLONY OF BRITISH HONDURAS.

QUESTION.

MR. GOSCHEN said, he wished to ask the Under Secretary of State for the Colonies, Whether he can communicate to the House any information with regard to the recent incursion of Indians into the Colony of Honduras, and to an action alleged to have taken place between them and a portion of the 3rd West India Regiment; and, whether his attention has been called to an extract from *The Jamaica Gleaner*, published in *The Times* newspaper of the second instant, containing serious imputations on the conduct of the English Officer in command on that occasion? He might explain that the imputation was that the Major in command, having about 150 troops under him, went into action with about fifty or 100 Indians, and beat a hasty retreat, leaving the ammunition, the medical stores, and the wounded behind him.

MR. ADDERLEY, in reply, said, a raid of Indians was made into British Honduras in December last, when great depredations were committed, and more than one British colonist was carried off for ransom. Upon that Lieutenant Governor Austin sent a Civil Commissioner with Major Mackay and some troops to the spot. The Indians were met, and a collision took place, but it appeared that both parties retreated. There is no report that the wounded of the West India regiment were left on the field. A statement had certainly been made to the Government reflecting very severely on the conduct of the English officers concerned; but he did not like to state anything more then, as only one side of the case had reached the Government. But the War Office at once commissioned Major General O'Connor, the commander of the Forces in Jamaica, to institute an inquiry into the matter. Lieutenant Governor Austin, immediately on hearing of the occurrence, applied for reinforcements from Jamaica. Sir John Grant instantly sent one detachment of troops, and followed soon afterwards himself with a second detachment. The report from Sir John Grant was that everything was now tranquil in the colony of British Honduras, and that there was an ample force of troops there to meet any exigency.

BOARD OF TRADE RETURNS.

QUESTION.

MR. GOSCHEN said, he would now beg to ask the Vice President of the Board of Trade, What is the reason of the delay which has occurred in the publication of the Board of Trade Returns for 1866, those Returns not having been in the hands of the public till the 1st of March of this year; and whether it is not possible to hasten the monthly Returns issued by the Board?

MR. STEPHEN CAVE: Sir, the accounts for the twelve months ended the 31st of December last were issued on the 2nd of this month; last year they were issued on the 27th of February. This delay of a day or two was occasioned by the necessity of a special reference between the Excise and Customs Departments. Generally speaking, the chief cause of delay is the difficulty of getting merchants to make complete entries and close their current accounts. If the same plan were followed with the annual as with the monthly Returns, of completing them on a certain day, without reference to outstanding accounts, something might be gained in time at the expense of accuracy; but then one year could not be compared with another. With regard to the monthly Returns, the growth of commerce makes their preparation a work of increasing labour. The Returns are received at the Custom House from all the hundred or more outports in a crude state, and have to be arranged, and their magnitude may be conceived from the fact that 1,000 entries are sometimes passed in a single day for a single article in one port alone, and that each monthly Return contains from forty to fifty pages of closely-printed calculations. The details have also been considerably extended for the purpose of giving the fuller information which the public have from time to time demanded. Formerly these Returns contained only totals; the monthly Returns now comprise values, and the countries of export and import of the principal articles, the aggregate of the expired months, and comparison for three years. The annual Returns contain the exporting and importing countries of every article, and a comparison of the trade with these countries for five years. The monthly Returns arrive at the Statistical Department of the Board of Trade about the 26th or 27th of the following month, and are kept there two days for the purpose of filling in the aggregates and printing. I doubt if this can be done more quickly With regard to the annual Return, the only alteration I can think of besides that of issuing the inexact form I have mentioned would be to publish separately that portion which relates to home consumption, of which the accounts can be completed earlier than the rest. I can assure my right hon. Friend that no time is wasted, and that the Departments concerned endeavour to meet the natural wishes of the public as far as is practicable.

POSTAGE TO INDIA.—QUESTION.

MR. CRAWFORD said, he wished to ask the Secretary to the Treasury, If it is the intention of the Government to raise the rate of postage to India and the East, in consequence of an increase in the cost of the service?

MR. HUNT: Sir, it is intended to raise the postage to 9*d*., in consequence of the additional expense occasioned by the increased number of mails.

ENGINE DRIVERS' STRIKE.

QUESTION.

MR. THOMSON HANKEY said, he would beg to ask the Secretary of State for the Home Department, Whether his attention has been called to a statement which has appeared in the newspapers to the effect that the Engine Drivers of the London and Brighton Railway Company have given notice of their intention to strike; and whether, in the event of such strike taking place, he does not think the subject would be a fit one for being inquired into by the Commission on Trades Unions?

MR. WALPOLE, in reply, said, his attention had been called to the statement in question, and he had heard that there was considerable foundation for it. He had no doubt that the subject of such strikes would fall within the terms of the Commission, and that it would be inquired into by the Commissioners.

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

INDIA, CHINA, AND AUSTRALIAN MAILS.

QUESTION.

MR. CHILDERS said, that on a recent occasion he had asked a Question relative to the tenders for the weekly postal service to and from Bombay. The reply was that notice had been given to the Peninsular and Oriental Company for the early termination of the contract for conveying the mail to India, but he did not understand whether it was intended to terminate the contract for the mail to China. He believed that the service to China would come absolutely to an end in January next. The service to Australia would be carried on on the basis of the present contract, which was subject to a notice of two years. He wished, therefore, to ask, Whether any arrangements would be made, in the event of the contract with the Peninsular and Oriental Company coming to an end, to continue the other two services, and whether any negotiations had been opened for the purpose of taking advantage of the French service, which was also connected with China?

MR. HUNT said, the Committee which sat upon our East Indian Mail Service, did not recommend notice to be given for the termination of the service between India and Australia at the same time. The paragraph in their Report relating to the subject was rather against the simultaneous termination of the two services. Her Majesty's Government had had the question under their consideration, whether they should give notice of their intention of terminating the contract between India and China and Australia at the same time. He had consulted the Chairman of the Committee on the subject. That Gentleman, who had given great attention to the subject, might be said to represent the views of the Committee, and he represented that it would be exceedingly unfortunate to postpone the establishment of the weekly mail to Bombay for two years. In consideration of the great desire of the trade that the weekly communication should commence as soon as possible, Her Majesty's Government had determined to give notice to terminate the Indian contract in the first instance. They had been partly induced to take that step without also terminating the Australian contract, because they thought the colonists themselves might desire to undertake the Australian service. Communications were now going on between the Colonial Office and the colonies with a view to some such arrangement. He believed that communications had taken place with the French Government, but nothing definite had yet been settled. Tenders for the new service had been prepared, and negotiations were going on with the India Office on the subject. The contract for the service east of Suez would lie with the India Government. The form of the tender had therefore been sent to them, and when it was received back it would be advertised.

Mr. CRAWFORD said, he wished to ask, whether it was true that it was in contemplation to raise the postage on letters for India and the East generally, in order to meet the increased expenditure upon the re-adjustment of the services. He asked the Question because this was a point which had been particularly dealt with by the Committee, and the Committee had protested strongly against the adoption of any such measure, for reasons which were fully set out in their Report?

Mr. HUNT said, it was determined, when the new postal service was commenced, to raise the postage to 9*d.* on the half-ounce letter, in order to meet the loss or increased expenditure expected to grow up through the increase in the number of the mails.

REPRESENTATION OF THE PEOPLE—ELECTORAL STATISTICS.

OBSERVATIONS.

Mr. LOCKE: I rise, Sir, to

> "Call the attention of the House to the delay that has taken place in the production of the Papers on the subject of Reform, alluded to by the noble Lord the Member for Stamford, which the right hon. the Chancellor of the Exchequer, on Tuesday the 5th instant, said he hoped to be able to lay upon the Table of the House in a few days."

I wish to call the attention of the House to the uncertainty which exists with reference to the statistics which we were given to understand were prepared for the Cabinet, and which (a circumstance which naturally makes the House much more curious than it otherwise would have been) resulted in the retirement of three of the Members of the Cabinet. Two of those late Members of the Cabinet made statements in this House, and the noble Lord the Member for Stamford (Viscount Cranbourne) said that certain papers were submitted to the Cabinet, containing the statistics, on the 23rd of February. On the 25th of February the right hon. Gentleman the Chancellor of the Exchequer was to make his statement to the House as to the Reform Bill which the Government were about to bring in; but on the 24th of February, in consequence of those statistics not being to the taste of the noble Lord the Member for Stamford, he sent in his resignation. Whether he did that on the 24th, which was Sunday, or on the 25th, I do not know. On the 25th, under these circumstances, of course the right hon. Gentleman the Chancellor of the Exchequer did not proceed with the statement on Reform which he had been about to introduce to the House, and which the House had expected. The right hon. and gallant Member for Huntingdon (General Peel), and the noble Lord the Member for Stamford, made their statements, and it appeared that the papers referred to—whether placed in the hands of the Cabinet, or read out by the Chancellor of the Exchequer—had only been partially communicated to the noble Lord and the other Members of the Cabinet at first, but subsequently the noble Lord had an opportunity of looking at them, or part of them—how much of them I do not know—and the result was his resignation. Therefore it was that I thought it right that such important documents as those which contained the statistics upon which the Reform Bill was to be brought in should be submitted to the House, that we, as well as the Cabinet, might have an opportunity of judging with respect to the measure which was to be based upon them. I therefore asked the right hon. Gentleman a question, and perhaps I had better repeat the exact words that were used, because very much in this matter appears to depend upon the precise words uttered by those who take part in the question. On the 5th of March my hon. and learned Friend the Member for the Tower Hamlets (Mr. Ayrton) asked a question of the right hon. Gentleman the Chancellor of the Exchequer as to what would be the course of public business, and I followed before an answer had been given to my hon. and learned Friend. I asked—

> "When the papers referring to the electoral statistics, submitted to the Members of the Cabinet, and alluded to by the noble Lord the Member for Stamford (Viscount Cranbourne), would be laid upon the table?"—[3 *Hansard*, clxxxv. 1370.]

The right hon. Gentleman gave me this answer—

> "I have given direction for the preparation of the papers, and I hope in a few days they will be in the hands of Members."—[3 *Hansard*, clxxxv. 1370.]

Now, I consider that answer was clear and distinct as to the identical papers alluded to by the noble Lord. There could be no doubt about the question, and none of the public journals, I believe, differ in any way upon it or upon the answer given by the right hon. Gentleman. From that it was fair to infer that directions had been given—there could be no question at all about preparing the papers, which were all ready—that directions had been given by the right hon. Gentleman to produce the papers for the satisfaction of the House, and that they would be laid upon the table at once. However, they did not appear; and therefore it was that, on the 11th of March, I renewed my Question to the right hon. Gentleman, asking him—

> "Whether the Government would lay on the table the statistics referred to by the noble Viscount (Viscount Cranbourne) as having been laid before the Cabinet a fortnight since?"—[3 *Hansard*, clxxxv. 1648.]

This was the right hon. Gentleman's answer—

> "No papers have been before the Cabinet which have not been laid on the table of the House. There is no new information. I believe that the House is in possession of all the information the Cabinet have. I have given instructions that for the convenience of Members certain information shall be prepared and printed, but I regret that it is not yet ready. I am unable to account for the delay, but I will make inquiry as to the reason. It has probably arisen from the desire to impart some new information."—[3 *Hansard*, clxxxv. 1648.]

That struck me at the time as being an extraordinary statement, and so it appears to have struck the right hon. Gentleman the Member for Stroud (Mr. Horsman), because he made some observations upon it. It was stated likewise by the right hon. Gentleman—and this appears in the reports of the leading journals—that there was nothing new in the papers. That called up the noble Lord the Member for Stamford, and after the Chancellor of the Exchequer had referred to what had fallen from the right hon. Member for Stroud, the noble Lord observed—

> "It is necessary, in order to make my own statement clear, that I should say that I understood, when certain figures were laid before the Cabinet, that they were figures which had been obtained from the Departments for that purpose, and that they were new. So I understood them; but, of course, in that I may have been mistaken. They were exceedingly scanty, and few in number, and the investigation of which I spoke was mainly directed to comparing these figures which were sums total with the more detailed information contained in the voluminous Returns laid before the House last year."—[3 *Hansard*, clxxxv. 1649.]

It appears, then, that the right hon. Gentleman the Chancellor of the Exchequer and the noble Lord the Member for Stamford are at direct variance. The Chancellor of the Exchequer says, in the first instance—when he is asked to produce the papers, which are clearly designated as the papers containing the statistics which were laid before the Cabinet, or read to the Cabinet, or partly read to the Cabinet, and which were subsequently submitted to the noble Lord the Member for Stamford, and which caused him to resign his office—the Chancellor of the Exchequer says most distinctly that he will produce those papers which contain those identical statistics. When his attention is again called to the matter about a week afterwards the right hon. Gentleman says, "No, there are no new papers at all. Those figures which you mentioned are merely figures which are now upon the table of the House, scattered amongst nobody can say how many Returns." Whether that is so or not it is impossible for me to say; but, at all events, it appears that the noble Lord the Member for Stamford has not read the voluminous Returns amongst which the right hon. Gentleman the Chancellor of the Exchequer says those figures are to be picked out. The noble Lord says that he understood that the figures submitted to him on that occasion were entirely new. I think the House has a right to have a clear explanation upon this matter. If the Chancellor of the Exchequer had chosen to say, in the first place, "I do not intend to produce those statistics at all; it was a Cabinet matter. I introduced them to the Cabinet, but I am not going to introduce them to the House," he might have done so, and the House could have dealt with the matter as under those circumstances. But the right hon. Gentleman distinctly said that the statistics should be produced, afterwards telling us that there were no new statistics to produce, although a late Member of the Cabinet distinctly says that there were, and that he understood the statistics shown to him to be new. I want to know, therefore, why it is that they have not been produced, and whether a satisfactory reason can be given by the right hon. Gentleman for not placing them on the table? It is necessary, for the satisfaction of the House, that such an explanation should be given as shall lead the House to a clear understanding of what was the real nature of the case.

MR. GATHORNE HARDY: As my right hon. Friend the Chancellor of the Exchequer will have to speak on another subject at a later period, it is better, perhaps, that I should answer the Question of the hon. and learned Gentleman. The real fact of the matter is this. The figures spoken of were very few indeed. My noble Friend the Member for Stamford (Viscount Cranbourne) analysed them for his own purposes, and divided the totals among the different boroughs. The figures which were given to my noble Friend were derived from papers already on the table of the House; that is to say, the old figures obtained in the different Returns were arranged to show, as has been shown in the newspapers, the number of male occupiers in the various boroughs. However, the papers will be in Members' hands shortly. It is necessary that they should be carefully corrected, and they have to come back from the printer's to be revised; but they will probably be in Members' hands to-morrow. The hon. Member for Peterborough (Mr. Whalley) and my hon. and gallant Friend the Member for Harwich (Major Jervis) have moved for papers, which will also be supplied, and which will really put much more information into the hands of Members than the noble Lord the Member for Stamford had before him.

MR. GLADSTONE: There are two questions which I should like to put to the right hon. Gentleman the Chancellor of the Exchequer, not on exactly the same subject as the last Question, but in reference to the same chapter of information, and they refer to points which are very material for the convenience of the House. I should like to know from the Chancellor of the Exchequer whether the Printing of the Reform Bill will be so expedited that it may be in the hands of Members on Tuesday morning? [The CHANCELLOR of the EXCHEQUER: Yes, it will.] That is very satisfactory. The other question I have to put is this: It will be recollected that in the blue book of last year there is a statement of the numbers of male occupiers, at different values of occupation, for every borough in the country. Those numbers include the persons who pay their own rates directly and those for whom the landlords pay rates, or who pay them in fact as part of the rent to their landlords. Those Returns draw no distinction between these two classes of persons, so that we have no ground upon which we can show how many of the occupiers are direct ratepayers, and how many are compound householders, or holders under Sturges Bourne's Act, or under the Small Tenements Act, or other Acts bearing upon the point. The question I want to put is one of great interest, and it is, whether the right hon. Gentleman will be prepared to lay before the House any information affecting the division of those two classes into direct ratepayers or compound householders for each of the boroughs in the country? I dare say the right hon. Gentleman will be able to answer this when he rises presently. Another point which I wish to mention is in reference to the procedure of this evening. Nothing would be more contrary to my own inclination, or to the inclination of my Friends around me, than to endeavour to interpose or intercept the progress of business; but, with reference to the proposal to enter into the discussion of the Navy Estimates to-night, the state of things is peculiar. The Navy Estimates of the present year are not common Navy Estimates; they involve a considerable increase of charge; and, besides that, they involve a considerable commutation of charge. They not only suspend certain descriptions of work now in progress, according to the plans of the late Government, according to the Estimates of last year, but they bring into view other descriptions of work of a very extensive character, and of very great importance; of such a description as to raise the whole question of supplying the naval stations abroad, and the whole question of the number of men to be voted for the navy. That being one of the material circumstances of the case, we have also this, that in the House of Commons to-night we neither have the Minister who prepared these Estimates (Sir John Pakington) to move them, nor the Minister under whose responsibility they are to be carried into effect (Mr. Corry). I trust that my noble Friend the present Secretary to the Admiralty (Lord Henry Lennox) will not suppose that I am impeaching his personal competence to propose the Navy Estimates. I have often heard him speak in this House, and I never heard him when he did not do great credit to himself and great justice to the subject he had charge of; but I speak of his position and responsibility with reference to this subject. It is within my knowledge that many Members on this side of the House wish to bring into full view, by the discussion on the Navy Estimates, which will necessarily be a long one, the various important subjects of which I have indicated the heads. In the form of the present Navy Estimates it is obviously impossible that this discussion can take place in the House unless in the presence of the responsible Minister. We are not situated as we were on the subject of the Army Estimates, where there was a special necessity for obtaining the Vote of Men with a view to the passing of the Mutiny Act. With regard to money, if there is any necessity for passing a Navy Vote on that head, a Vote can be passed on account to meet any emergency. Notice could be given of such a Vote to-night, and it could be voted to-morrow evening. With regard to the number of men, there will be an opportunity next week, in the interval between the introduction and the second reading of the Reform Bill, to introduce the Navy Estimates, and then the subject can be fully debated. I put it to the right hon. Gentleman whether it is for the convenience of the House that we should proceed with the statement of the noble Lord (Lord Henry Lennox) this evening. It is not necessary that we should object to the noble Lord making a statement, if the Government think the course of public business will be advanced by that. But it will be impossible for us to arrive at a Vote, as to the number of men, because the question turns upon and involves a number of matters which could not be dealt with except in the presence of the responsible Minister. Would it not, upon the whole, be for the convenience of the House that a day should be appointed, in the middle of next week, for the purpose of dealing with the Navy Estimates? I think I shall be justified in the suggestion I have thrown out by those who have given their minds to the subject and who have the intention of debating it.

Mr. WHITE: I do not share in the interest which my hon. and learned Friend (Mr. Locke) seems to attach to the production of further statistics on the subject of Reform—in fact, I would much rather that we should have less figures and more frankness. We have reason to complain, not so much of the want of information as of the want of straightforwardness. Much as I love statistics myself, I am afraid we have had a plethora of them upon this subject. I complain, in common with many of my brother Members around me, of the air of mystery—the un-English air of mystery—which has been indulged in by the Government in reference to this question. It was the remark of a distinguished statesman that a proper secrecy was the only mystery of able men, but that mystery was the only secrecy of weak and cunning ones. I do not say in which category the present Government may be placed; but if mystery be wisdom, they may be called pre-eminently wise. It was said some seventy years ago by the late Mr. Sheridan, that the English people had no faith in the "little Isaac" class of politicians—"roguish, but devilish keen." I trust the Government will not persist in this policy of mystery, and render Mr. Sheridan's remark applicable to them. In saying thus much, let me ask the hon. Gentlemen who sit on the Ministerial side of the House to accept the assurance that I believe the party to which I have the honour to belong would be benefited by a twelve months' absence from office; and in that spirit I do not begrudge them the tenure of their pleasant places on the Benches opposite.

The CHANCELLOR of the EXCHEQUER: I do not intend, Sir, to trouble the House with any remarks upon the observations of the successor to Sheridan. With regard to the inquiry of the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), I must say I consider it unreasonable. He himself was a Member of a Government which for seven years regulated the destinies of this country, and during those seven years the Navy Estimates were always moved by the Secretary of the Admiralty (Lord Clarence Paget). We did not hear then that it was unsatisfactory to the House that the First Lord of the Admiralty should not be present, or that the Minister of the Admiralty, who is responsible for the preparation of the Estimates, should not be a Member of this House. If therefore, Sir, the Navy Estimates could be moved by the Secretary of the Admiralty for seven years I cannot understand the grounds of the objections taken upon this occasion, more especially as my noble Friend the present Secretary (Lord Henry Lennox) is so perfectly competent to the task. The right hon. Gentleman asks me whether the public business would be retarded or inconvenienced by the adoption of the course which he has suggested. In answer to that I have to say that considering that the First Lord of the Admiralty (if his presence be absolutely necessary to move the Estimates) cannot take his seat until the 25th of this month, I have no hesitation in saying that the course proposed would be most inconvenient to the course of public business, and would, moreover, seriously embarrass certain arrangements which have been made. The right hon. Gentleman talks much of the presence of the Minister of the Admiralty, who is responsible for the preparation of the Estimates. I have already shown to the House that it is not absolutely necessary that the First Lord of the Admiralty should move the Estimates; because for the last seven years this has not been done. But allow me, Sir, to remark that every Minister is responsible for the preparation of these Estimates. What was our proposal with respect to the business this evening? We proposed that the Estimates should be moved by the Secretary of the Admiralty; but when we made that arrangement it was thought that my noble Friend the Secretary would, according to all calculation and expectation, have had by his side my right hon. Friend (Sir John Pakington), the late First Lord of the Admiralty, who would have been prepared also to have spoken upon any subject which the House might think required elucidation. An accident, the non-return of the writ, has prevented this proposal being carried out. I repeat, that when the objection was taken, notice of which, owing to the courtesy of the right hon. Gentleman opposite, was given us, the presence of my right hon. Friend the late First Lord of the Admiralty was certainly counted upon. Nobody, in fact, doubted that he would be present. I must say, therefore, that I do not see in the tone taken by the right hon. Gentleman (Mr. Gladstone) upon this subject, exactly that temper which I should have counted upon, whatever might have been the struggles of party, with reference to the better conduct of the public business. Let me remind the right hon. Gentleman, that if no objection had been taken on the first night on which my right hon. and gallant Friend the Member for Huntingdon (General Peel) was prepared to move the Army Estimates, if he had been permitted to go on then, my right hon. Friend the then First Lord of the Admiralty (Sir John Pakington) would on the Thursday following have moved the Navy Estimates, and we should not have been in the somewhat embarrassing position in which the House is now placed. I am perfectly aware that if hon. Gentlemen, acting from what they consider to be their duty, choose to control the necessary business of this House, it is impossible for us to resist an appeal of that sort, because Motion after Motion can be made. I think it undesirable that the Estimates should be moved unless there is a general concurrence in the House upon the subject. My opinion is, that it will be convenient for the public service that we should proceed as the paper indicates, but I must leave it to the House to decide.

Sir GEORGE GREY: The right hon. Gentleman has misunderstood the objection of my right hon. Friend. He did not mean to imply that the Estimates should never be moved by the Secretary of the Admiralty. When the First Lord of the Admiralty does not sit in this House, the Secretary is the recognised organ of the Department. His objection was, that it is unusual and inexpedient for him to move the Estimates when he is not the recognised organ of the Admiralty. When the First Lord has a seat in this House, it is he who should give the necessary explanations of matters of importance which may arise in the course of the debate. The right hon. Gentleman opposite seems to admit the force of that objection, because he says that he had counted upon the presence of the right hon. Gentleman the Secretary for War (Sir John Pakington.) If that right hon. Gentleman had taken his seat, there would have been no objection to proceeding with the Estimates, because he is the Minister who is directly responsible to the House for their preparation, and could no doubt have given every explanation that was required. No one, I am sure, will doubt the competency of the noble Lord opposite (Lord Henry Lennox) to deal with this subject. The House will be happy to hear his statement if the right hon. Gentleman thinks that his making it to-night will advance the public business; but he must not expect that a debate can be taken as if the First Lord of the Admiralty or the Secretary of State for War were in their places, or that any Vote, except on account, can be agreed to.

Lord HENRY LENNOX: Sir, it is so unusual a circumstance for me to find myself the subject of a debate in this House, that perhaps I may be allowed to say a few words with reference to what has been said by the right hon. Gentleman opposite. My right hon. Friend the Chancellor of the Exchequer, with his usual kindness, has wished to press my statement upon the House to-night. I was willing to make that statement, and should, under any circumstances, have prefixed it with an apology to the House that a person occupying so humble a position as I do should move such important Estimates as these. If the Opposition, led by the right hon. Gentleman the Member for South Lancashire (Mr. Gladstone), had, out of regard for the state of public business, been willing to allow me to make my statement, and to follow it up by practical action in the shape of a Vote for the number of men, I was ready to undertake a task the magnitude of which no one who has not attempted to perform it can appreciate, especially when it is undertaken, as I may be allowed to say I have undertaken it, at three day's notice. Under the circumstances, however, I must respectfully decline to make a statement which is not to be followed by any practical action of the Committee. In conclusion, I have only to state that when my right hon. Friend the First Lord of the Admiralty (Mr. Corry) who will, I hope, be returned to the House in the course of next week—he having been eight years away from the Department over which he now presides, during which time matters have greatly changed — I may, perhaps, from the experience which I have gained in the last eight months, be able to be of some use to him. At all events, I shall be delighted to give to the right hon. Gentleman the Member for South Lancashire and his Friends any assistance that I can to elucidate the items of the Votes.

Mr. GLADSTONE: I rise for the purpose of explanation. I made no objection to the statement of my noble Friend (Lord Henry Lennox) being made if it were considered necessary or convenient by the Government. But I must point out that the right hon. Gentleman the Chancellor of the Exchequer has not answered the rather important questions I put to him.

The CHANCELLOR of the EXCHEQUER: I beg the right hon. Gentleman's pardon. I think the first question was whether the Reform Bill would be in the hands of Members on Tuesday? Certainly, I believe it will. I have no doubt of it. The second question was, as to the distinction between the £10 householders—those who were rated and those who paid by their landlords. My impression is that such a statement can be made out. I will communicate with my right hon. Friend the President of the Poor Law Board (Mr. Gathorne Hardy), and will give the information if possible.

Mr. OSBORNE: I should be very sorry that it should go forth that this side of the House is unanimously of opinion that the noble Lord the Secretary of the Admiralty should not be permitted to proceed with the Navy Estimates, and take a Vote to-night. It appears to me that the public out of doors will not be satisfied unless the Navy Estimates are brought forward. Due notice has been given. My noble Friend the Secretary of the Admiralty (Lord Henry Lennox) is the recognised organ of the Government on the subject, and the First Lord of the Admiralty (Mr. Corry) cannot possibly take his place in this House till Monday. [Sir George Grey: The discussion will all come over again.] But why not give the Government a Vote on Account of the Navy Estimates this evening? We know that subordinates in this House are generally so sat upon by their superior officers that they have seldom a chance given them of showing their talents. The ability for perspicuity of statement possessed by my noble Friend is recognised by all. I am sorry, therefore, that the right hon. Gentleman the Chancellor of the Exchequer has on this occasion displayed such squeezable materials, and I think the House will do well to allow my noble Friend to make his statement, and, if necessary, to take a Vote on Account. We shall then be expediting the public business; at all events, we shall not be putting the country to any inconvenience. I hope the right hon. Gentleman will put the noble Lord up, and that we shall go into the Navy Estimates forthwith.

Mr. HORSMAN: I think there is some misunderstanding as to the course intended to be taken by the Government, and as to what is the objection of my right hon. Friend (Mr. Gladstone.) It is very reasonable that the noble Lord should be permitted to make his statement and take a Vote on Account. If that is the intention of the Government no objection ought to be raised. But I understood the objection of the right hon. Gentleman the Member for South Lancashire to be that the statement ought not to be followed by taking the Vote for the Wages of the Men, which would involve the whole policy of the Estimates. That, of course, opens a large question, and I think it may fairly be considered by the Government whether in the absence of their recognised organ in this House it ought to be pressed forward to-night.

Lord HENRY LENNOX: If, Sir, I am allowed to make my statement, and carry forward the Estimates as far as I can in the same position and under the same conditions as if the First Lord of the Admiralty was, like the late First Lord, a Member of the House of Peers, I am quite willing to go into the discussion; but I must respectfully decline to make any statement on sufferance.

Mr. STANSFELD: The noble Lord is labouring under some misapprehension. I can assure him that so far as my right hon. Friend (Mr. Gladstone), and all of us on this Bench are concerned, we are most desirous that he should make his statement. Our difficulty is this. The House is aware that when the Vote for Wages has been passed it is not competent to any Member to discuss questions of general policy. Now, there are a number of us, some upon this Bench, and some sitting behind us, who are anxious to discuss general questions arising out of the policy of naval administration. We do not doubt the ability of the noble Lord to deal with those questions or to reply to us; but we should like to hear the views of the late First Lord of the Admiralty, as some of us may have something to say upon them. Therefore, it is not so much the absence of the present First Lord as that of the right hon. Gentleman who was First Lord when the Estimates were prepared, that leads us to hope that the Government will, at any rate, consent not to take a Vote for Wages to-night, and will give us the fair opportunity of discussing the policy of the Admiralty, of which they ought not to seek to deprive us.

Sir HENRY EDWARDS: Should the suggestion of the Chancellor of the Exchequer be adopted by the House, we may have to wait till the end of the Session before an opportunity offers to discuss these Estimates, in the event of the first Lord of the Admiralty not being returned by his late constituency. The course taken by the Opposition appeared to him to have but one interpretation, and should the noble Lord be prevented making his statement on that occasion the country would believe that the delay was caused by factious opposition. At the beginning of the Session the House was given to understand by the right hon. Member for South Lancashire that every possible effort would be made by those who sat on the other side of the House to assist the Government in carrying on the public business. But what had occurred since that assurance was given? Every measure brought forward by the Government had been, more or less, objected to. An objection was raised to the late Secretary for War (General Peel) bringing forward the Army Estimates, and now a similar objection was raised to the Navy Estimates being introduced by the noble Lord. After the conduct of the right hon. Gentleman opposite (Mr. Gladstone) upon this occasion the country would come to the conclusion that nothing was to pass this Session which the right hon. Gentleman and those who thought with him could possibly prevent being carried. He was much pleased to hear some time since the unanimous cheer from below the gangway when it was announced that the Government was to have fair play. He repeated, that if the House was prevented from going into the Navy Estimates that night, it would go forth to the country that those who sat opposite were the real obstructives, while those on the Government side of the House were doing their utmost to forward public business.

Major JERVIS said, that there was a great difference between the case of the late Secretary for War introducing the Army Estimates and the present Secretary to the Admiralty moving the Navy Estimates. The House was willing that the right hon. Gentleman should explain the Army Estimates, which had been prepared under his directions, but he took no Vote for Men on that occasion. Taking into consideration the present state of the country and of Europe, he thought it unadvisable that any Vote should be taken in the absence of the present and the late First Lords of the Admiralty which would preclude future discussion upon important questions relating to the administration of the navy. He therefore hoped, if the noble Lord made his statement that night, detailing the general scheme and plan of the Government in reference to the administration of the navy, that no Vote for Wages would be taken.

Lord JOHN MANNERS said, that the hon. and gallant Gentleman who had last spoken had inadvertently fallen into an error when he stated that his right hon. and gallant Friend the Member for Huntingdon had not been permitted to take a Vote for Men on the evening when he moved the Army Estimates. His right hon. and gallant Friend did take a Vote for the number of Men. He did not see why any questions in connection with the administration of the navy hon. Gentlemen wished to discuss could not be brought on that evening, notwithstanding the absence of the right hon. Gentleman the First Lord of the Admiralty. As his right hon. Friend the Chancellor of the Exchequer had already observed, for several years questions of the first importance in reference to the navy had been always discussed in the absence of the First Lord of the Admiralty, who with the Secretary for War had sat in the other House. It therefore appeared to him that whether the matter was looked at in the light of constitutional practice or of convenience to individual Members, there was nothing to prevent Her Majesty's Government from proceeding with the public business, and of taking a Vote in the ordinary course. He thought that the public convenience would be best consulted by the House permitting the noble Lord to make his statement.

Mr. SANDFORD said, he wished to suggest that the noble Lord should adopt a medium course by making his statement, but not taking a Vote that would preclude subsequent discussion. Could not a Vote on Account be taken?

Lord HENRY LENNOX: I am sorry to be again obliged to trouble the House, or to appear unyielding, but in answer to the question of my hon. Friend I have to point out that the discussion of those questions would not be in the least degree less open if I moved these Estimates than it would be if they were introduced by my right hon. Friend (Mr. Corry). I must most emphatically say that I can only consent to move the Estimates to-night on the same conditions as if my Chief was in the other House of Parliament.

Captain VIVIAN said, that the right hon. and gallant Gentleman the Member for Huntingdon had prepared the Army Estimates which he had introduced, and therefore he was perfectly competent to give any detailed explanations which the House might require. But the First Lord of the Admiralty was not present to answer questions which hon. Gentlemen might wish to put to him on the subject of the naval administration. He therefore trusted that the noble Lord would not take any step which would prevent future discussion upon the subject.

Mr. HENRY BAILLIE said, he hoped that the Government would not bind themselves to follow the course of action dictated by hon. Gentlemen opposite. The course for Government to pursue was to bring forward their Estimates and to move a Vote for the number of Men. If hon. Gentlemen opposite thought proper to oppose the Vote for the number of Men they could do so.

Motion, "That Mr. Speaker do now leave the Chair," *agreed to.*

SUPPLY—NAVY ESTIMATES.

Supply—*considered* in Committee.

(In the Committee.)

Lord HENRY LENNOX: Mr. Dodson—I hardly know exactly the position in which I stand. I thought that the Order for going into Committee of Supply was discharged, and that, consequently, the House would proceed with the consideration of other business; but I now see that Mr. Speaker has left the Chair, and I am told that for the sake of the public convenience I am bound to make a statement and move the Navy Estimates for the year. In making that statement I must, in a special manner, claim the indulgence and the clemency of this Committee, who I do not doubt will take into consideration the very short time I have had since I received notice from Her Majesty's Government that, in consequence of the state of public business, it was desirable that I should undertake this most onerous task. Before I plunge, so to speak, into the various Votes which form the Estimates for the year, I will give the Committee a short epitome of the sums required for the Naval Service last year, comparing them with those which we ask the Committee to grant for the present year, and will allude to the salient points in which the present Estimates differ from those of last year. In the year 1866-7 my gallant Predecessor and Relative, Lord Clarence Paget, asked the Committee to vote the sum of £10,434,735, and at a later period of the Session Four Supplementary Votes were added, amounting, in round numbers, to £46,500. One of these was an additional charge for an improved system of retirement for officers of the Royal Navy.

Another was for the first three months' increased pay of the medical officers of the navy. The remaining sums were for the first instalment for building of a turret ship by Captain Cowper Coles, and the sum expended for completion of Her Majesty's ship *Northumberland.* Now, the sum which I shall ask the Committee to vote for 1867-8 is £10,926,253, being an excess of £545,000 over the original Estimate of last year, and of £491,518 over the whole sum voted in 1866-7, including the Supplementary Estimates for the Navy. The Committee must not for a moment imagine that the whole of that sum is required for the Effective Service of the Navy. The impression which has prevailed of late years, that the whole amount which is annually to be found in the Estimates is required for the service of the Navy, is an entirely erroneous one. For the Effective Service of the Navy there is this year required a sum of £9,067,758, that being an increase of £480,260 over the Effective Services of last year. For the Non-effective Services there is required a sum of nearly £2,000,000, and that includes many items over which the Board of Admiralty can exercise no control. There is, for instance, an item for the increase of half-pay and pensions, which, depending as it does upon casualties of life and health, are beyond our control. Then there is the Transport Department, the control of which rests with the War Office, for they alone decide what troops shall be sent out, and where and when they shall be sent, nothing being left to the Admiralty but to carry out those orders. From this cause, as may be imagined, the head of the Transport Department finds it very difficult to give any accurate Estimate at the commencement of the year of what sum will be required, the demand for transports being liable to change, from various causes, and to special and unforeseen demands arising from time to time. Another item of an exceptional nature is the sum of £50,000, being the first moiety of £100,000 towards the building of a two-turreted ship for the colony of Victoria. This, I need hardly say, was a question of colonial policy, and was granted because it was thought advisable to encourage that colony in spirit of self-reliance in its own defences for the future by assisting in providing it with such a vessel. Another £50,000 will accordingly appear among the Miscellaneous Estimates next year. I will now proceed to draw the attention of the Committee to the salient points of difference between the present and last year's Estimates. The principal increase in these Estimates is the excess of £528,000 over last year in Vote 10 section 2; but against this increase must be put a reduction of £175,000 in the Storekeeper General's Department. Before going into detail on these matters, I may remark generally that almost every Vote shows an increase, great or small, and I must ask the Committee to remember how difficult it is to prevent such an increase. When the national wealth is every day increasing, when every class of the community is raising itself in the social scale, and when costly inventions, both in shipbuilding and gunnery, are continually being made, it is almost impossible to keep the amount of expenditure within the limit of former Estimates. I can only assure the Committee that the most careful attention has been given to the subject by the Board of Admiralty, under the presidency of my right hon. Friend the present Secretary for War (Sir John Pakington), and no sensible increase in any Vote has been admitted without the closest examination and the most careful scrutiny. It will no doubt be interesting to the Committee to know the exact number of ships which the country had in commission at the time the Estimates were framed, and I have before me a list showing that that number was 154. The first Vote which I shall have to bring before the House, and which I am surprised to hear is likely to give rise to much controversy, states that the number of seamen, boys, and coastguardmen, required for the service of the year, is 51,683, and this shows a reduction of 285 officers and men over the number taken in 1866-7. The reduction among the commissioned officers is 134, and is the result of an arrangement made some sixteen months ago by the late Board of Admiralty with regard to the engineers. There is also a small diminution in the number of subordinate officers. The reduction in the number of commissioned officers is, as I have said, due to an arrangement arrived at sixteen months ago by the Board of Admiralty for stopping the entry of engineers, and was come to in consequence of the great number of those officers in that service. The reduction in the number of subordinate officers is owing to a Minute suggested by one of the most distinguished Members—indeed, I may say, the most distinguished Member—of the present Board, Sir Alexander Milne, for the purpose of restricting the entries of naval cadets in the course of the present year. On coming into office that gallant Admiral found that the average entries of naval cadets had been of late 172 a year, and allowing twenty-six of these to leave, or at the rate of 15 per cent per annum, there would remain 166 in service; whereas the average number of lieutenants promoted was sixty, and the number of sub-lieutenants now in the service is 284, that is a four years' supply. In six years, at this rate, the number would have gone on increasing from the want of means of promotion, and at the end of that period there would have been found 430 of these young gentlemen on the list. Under these circumstances, my gallant Friend induced the Board to restrict for a time the entries, and that accounts for a slight reduction in the number of the subordinate officers. There is also a decrease of 145 among the petty officers and seamen; but, as those who have studied the question are aware, the relative proportion in the number of petty officers and seamen depends very much on the class of ships that are in commission. The number of seamen we ask for is 37,015, while last year it was 37,300, and the cost will be £1,990,862, the cost last year being £1,979,048; but adding the Supplementary Vote of £3,655, taken during last Session, for the first three months' increased pay to medical officers, the 37,300 men will actually cost the country £1,982,693, or £8,169 less than the 37,015 men will cost this year. I shall, of course, be asked how it is that a reduced number of men will cost an increased amount of money, and to that I have only one answer to make. The increase is due in a great measure to the generosity of the House, for last year there was a Supplementary Vote sanctioned for advantage of the medical officers, and another for an improved scheme of retirement for officers of the Royal Navy. Moreover, there are accidental circumstances which account for this increase, for there are more officers on higher rates of pay than there were last year, and there is a small increase in number of warrant officers. As the Committee is aware, the number of seamen is very liable to decrease, and the Board have therefore decided to add 418 to the number of boys, that being, as I think will be universally admitted, a very legitimate way of meeting the wants of the navy. The number of boys will thus be 7,418, and they will be thus distributed—4,318 will be employed in the fleet, 68 will be placed in troop ships, and 3,100 in training ships; and owing to the large amount of accommodation in our training ships stationed in the various ports, no additional vessels of the kind will be required to be fitted up for their reception. With regard to the Vote for the Men, it was the practice of my gallant and most successful predecessor (Lord Clarence Paget), when stating the number required, to make a statement respecting the moral and physical welfare of the seamen and the general popularity of the service. I will follow his example. It is with great pleasure I am able to make a satisfactory announcement under both these heads. The waste of seamen at the present time is under 10 per cent, which is less than it has been for some time past, and the number of continuous service men has largely increased. I hold in my hand a Return of the number of continuous service men in the fleet and coastguard at the present time. On the 31st of March, 1866, the number was 31,336; while on the 1st of January, 1867, it was 31,612, being an increase of nearly 300. That is a large increase in the time and very satisfactory, as showing the increased popularity of the service. The numbers of desertions, of crimes, and of punishments is always regarded as a fair test of the state of the navy. From official Returns it appears the average number of men borne in 1864 was 48,507, and in 1865, 47,474; and of these in 1864, 298, and in 1865, 289 only were flogged, and in the former year the desertions amounted to 1,583, as compared with 1,328 in the year following. I will read a table giving the proportion of deserters in the last few years. In 1862 it was 4¼ per cent; in 1863, 3¾ per cent; in 1864, 3 per cent; in 1865, 2¾ per cent; in 1866, 2½ per cent; and in 1867 only 2¼ per cent. These may be minute details; but they show the Committee the satisfactory state in which the *personnel* of our navy now is. There is another point upon which Lord Clarence Paget always laid great stress, and which now presents an equally satisfactory aspect, and that is the increase in the good-conduct pay of the navy. I will not trouble the Committee with the figures; but the increase of the good-conduct pay this year has been very considerable. Another point is also satisfactory—the continued increase shown in the number of trained gunners. In 1861 the number was 2,268; in 1866 it was 5,786—showing an increase of 3,518 trained gunners. But it is not only the moral welfare of the navy to which it is my duty to call the attention of the Committee; its sanitary state has always occupied the attention of Parliament, and the health of the navy, according to Reports of year 1865-6, is most satisfactory. The rate of sickness per 1,000 was 31·4, being the lowest rate that has occurred within the last ten years, while the average ratio of those last ten years has been 35·1 per 1,000 men. The death-rate has also been the lowest for many years past—namely, 10·5 per 1,000; whereas the average for the previous ten years has been 15·5 per 1,000. Excluding deaths from injuries, it was last year only 8 per 1,000, which is 1·1 lower than the average rate of mortality among the healthiest class of our operatives. I must now touch upon a subject of a painful character; but it is one of paramount importance, inasmuch as it concerns not only the efficiency of our army and navy, but also affects the strength and vigour of the human race. We have provided a wing in the hospital at Plymouth for the reception of a certain class of patients, under authority of the Contagious Diseases Act, and have also provided accommodation for patients at certain garrison towns. Three of these are under the care of the Admiralty, and the others are under the control of the War Office. My right hon. Friend (General Peel), in moving the Estimates for the War Department the other night, told the Committee the steps which he had taken, and was about to take, in this direction. My hon. Friend the Member for Perth (Mr. Kinnaird), whose exertions in this cause are well known, and who is at the head of one of the best institutions of this kind in the metropolis, will confirm what I have to say respecting the favourable effects which have resulted from the legislation to which I allude. The Contagious Diseases Bill was originally introduced under the sanction of Lord Clarence Paget. Its operations were strengthened and its provisions extended last year, and now, under the Vote this year for the Prevention of Contagious Diseases, we ask for a sum of £1,500 in excess of that of last year. It is at Portsmouth that the least success has, up to this time, attended our efforts; but from this very circumstance we may draw a by no means unfavourable augury for the future. As yet there has been a great want of accommodation in that port, and owing to this and other causes little has been done, but better accommodation has now been provided; and in answer to inquiries as to whether at Haslar there had been any perceptible difference in the number of patients and the severity of the disease, I was informed that there had been already an amelioration in the character, and a diminution in the number of cases. From Sheerness, the report of the medical officer is that the disease is almost destroyed. In Plymouth, a wing set apart for these cases has been added to the Albert Hospital, towards which the Admiralty have subscribed a sum of money. There is already accommodation in this hospital for sixty of these unfortunate women, and there will be room for sixty more next June. Admiral Martin, the Commander-in-Chief on that station, writes from Plymouth, that the operation of the Contagious Diseases Prevention Act has been most encouraging. The disease is sensibly diminishing, and is greatly modified in its character. These cases used to amount to 7¾ per cent of the patients at the Royal Naval Hospital; but by the last Returns there are now not more than 2¼ per cent. Last year the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), when this Vote was before the Committee, drew a comparison between the system in force in France and that in this country, stating that in the former country the authorities endeavoured not only to cure the body of these outcasts, but also to try and save their soul. The hon. Member expressed his conviction that the House of Commons ought not to sanction any Vote of this kind unless some provision for the moral and spiritual improvement of these unfortunate women was made. It is my pleasing duty to state that the Admiralty have taken the hon. Gentleman's suggestion into consideration, and have sanctioned a gift of £100 to the Samaritan Fund at Portsmouth and also at Plymouth, and £50 at Sheerness. The chaplains will also attend at the hospitals three days a week. When progressing to convalescence the poor outcasts are taught household work, such as washing and ironing, at the hospital at Plymouth, and the pleasing fact remains as a testimony to the worth of the promoters, that a large portion of them have been reclaimed and restored to their parents or to society. I believe that there is no sum of money in these Estimates that will be so well bestowed as the £1,500 excess in this Vote. In Vote 2 there is a slight increase, but it depends upon the augmented price of provisions in the market, and is not therefore an excess over which the Admiralty have any control. The next Vote is for the Admiralty Office, and shows an increase of £2,363, and before I go further, I will express my astonishment that the Admiralty have not been compelled to ask for a much larger increase under this head. The accumulation of work at the Admiralty has, indeed, been so great and so rapid that nothing but the energy of the clerks, directed by the unwearied assiduity of the heads of departments, enables them to get through the work they have to do. In order to give the Committee some idea of the increase in the Admiralty correspondence, I will mention that in 1831 the number of letters dispatched was 30,000; in 1866, it was 75,000. In the Controller's Department alone, from 1860 to 1866, the number of letters has increased from 32,823 to 69,139. This will give the Committee some idea of the immense increase of correspondence, in comparison with which there has only been a small increase of salaries and of clerks. Vote 5 for scientific purposes includes an increased sum for the school of Naval Architecture; and I have to state that this school is in a flourishing condition. It was actually started by Lord Clarence Paget. But the scheme was, I believe, originally sketched out by the Institute of Naval Architects, and Lord Clarence Paget, with his usual good sense, took up the idea, and set the scheme in motion. The School of Naval Architecture is now going on most favourably, and the small increase in the Vote, for which I have to ask, is in order to enable us to increase the number of students from twenty-four to the full number of thirty. I am anxious not to detain the Committee for a moment longer than is necessary; but I now come to a Vote upon which I wish, as far as I am able, to convey the exact sentiments of my right hon. Friend (Sir John Pakington), who but for an unforeseen occurrence would have been in his place to-night. I refer to Vote 6, for the Wages of the Artisans employed in the Dockyards and Naval yards at home and abroad. After the recent debates in this House on dockyard expenditure, the very mention of this Vote seems to threaten a long discussion. But this question was so thoroughly ventilated when it was recently brought forward by the hon. Member for Lincoln (Mr. Seely), that I hope it will be agreed that on that part of it which refers to whether the public money is properly expended, whether the artificers work sufficiently long, and whether the articles are produced cheap enough, I think it is not necessary for me to weary the House by entering into details on the present occasion. On this Vote, No. 6, there is a decrease. I am happy to think that at last I come to a decrease—however small —of £1,603. But while there is a general decrease on the Vote, there is a small increase in the amount required for rates, taxes, and police expenses. We have this year a decrease of 297 men in the number employed in the home dockyards and factories. The number in 1866-7 was 18,618, the expense being £1,065,194. In 1867-8 the number will be 18,321, and the cost £1,064,635. Unfortunately, that decrease in the number of men, following, as I venture to think, a law of nature in regard to these things, costs almost as much as the larger number of last year—the saving effected by it only amounting to £559. The next point connected with this Vote which calls for remark is the fact that although the number of men employed in home dockyards and factories is reduced, the number of those borne upon the establishments is slightly increased. Previous to 1850, it was the practice greatly to exceed the number allowed on the establishment; and, in 1864, the Board of Admiralty fixed the number of established artificers throughout the dockyards at 9,610, of which 8,714 were artificers; and at that time there were also first-class labourers who were entitled to pension. These men receive 2*s.* 2*d.* a day, and as they die out they are not filled up; but their places on the establishment are taken by artificers who are paid 4*s.* 6*d.* per day as wages. This is one cause of increase of cost; but it is only carrying out the policy laid down by the late Board of Admiralty in 1864, when they stated what in their opinion was the lowest point to which the established artificers ought to be reduced. The artificers who are thus placed on the establishment are taken from the apprentices in our dockyards or from the best of the workmen who have served there in the capacity of hired men. When any future Board of Admiralty takes into consideration the question whether or not it is advisable to keep the number of established artificers where it is now, one point that will have to be taken into account is, that this prospect of being absorbed into the establishment has been held out to these men as a boon which they are to look forward to the prospect of which has induced them to accept the wages given in the dockyard instead of higher wages offered by private firms. And here I may mention that during our official tour of the various dockyards last autumn, the Board of Admiralty was besieged—or, at least, had interviews—with deputations from every one of the trades employed in those yards. This, I believe, was the case with hon. Gentlemen opposite when they were in office. All of those deputations urged upon us that as house rent and the cost of food, clothing, and all other necessaries had largely increased, their rates of remuneration ought to be raised. Nothing, I think, could be more distressing than to be unable to accede to their requests, for the appearance, the language, and the respectful manner of these men did much to enlist for their claims the favourable sympathy and attention of the Board of Admiralty. Since then, however, great depression has occurred in all branches of the shipbuilding trade, and the consequence of that is that the principles of political economy forbade our increasing the wages of these men when we could get plenty of competent workmen for the same, or even a less amount. But there is one class of men whose pay we have thought it right to raise. I mean the day labourers, and their position was a truly lamentable one. Their pay was so small that any man with a wife and family to support could scarcely subsist upon it; and the Board of Admiralty have, therefore, decided to raise their pay 1*d.* and 2*d.* a day, and also to allow the hired labourers the same advantage, thus placing them on an equality as to pay with the established labourers, a boon of which, by some strange oversight, they have up to this been debarred. I trust that no one in this Committee will grudge this increase, which amounts to about £7,700. The smallness of this concession, and the comparative largeness of the expense which it involves, may give the Committee some faint idea how very costly any change must be which raises the salaries of our dockyard *employés.* There is another class to whose case our attention was called, and whose claim was found to be perfectly unanswerable; and I believe that the sum of money required for extending to them the boon to which we think them entitled is so inconsiderable, that the Committee will not refuse to grant it. I refer to the masters of *bonâ fide* in sea-going hoys, which are engaged in conveying valuable stores between the different dockyards and victualling yards. These persons are responsible for the safety of most valuable stores when conveying them from port to port. Hitherto, there has been no classification among these officers, and men who have held this position for only a year or two receive just the same pay as those who have served in this capacity for a very long period. We propose to divide them into three classes, of which the pay shall be in the following scale:—Those who have served twelve years shall be increased to 7*s.* a day, and that of those who have served over six and under twelve years, 6*s.*; and those whose service is under six years will receive 5*s.* *per diem*—a boon which will be much appreciated by the recipients, and which, considering the responsibility resting on them, is not more than they ought to have. The next point to which I wish respectfully to draw the attention of the Committee is the very large sum which the country now pays for the service of these yard craft. In 1866-7 the amount of this charge was £116,422, and for 1867-8 it is estimated at £107,958, the cost for those two years combined being £224,380. This head of expenditure has been going on in the same ratio for years and years past, notwithstanding that in some instances railways have been brought down almost to the very doors of the victualling yards, affording, as it would seem, greater facilities for the transport of stores of a perishable nature in sending them by rail instead of by sea from port to port. With a view to clear up this matter I caused a Return to be prepared as to this branch of expenditure. It was, like all other Returns sent to the Admiralty, admirably compiled, and was given with the greatest precision; but it was so voluminous and minute in its details that it entirely confused me, and rendered me utterly unable to come to any more decided conclusion than that there was ample room for further inquiry. I therefore brought the question before the Board of Admiralty, and my right hon. Friend, now the Secretary of State for

War (Sir John Pakington), seeing the difficulty of sifting these things at a distance and getting at the truth about them in Whitehall, has decided to nominate a committee, composed of two gallant officers, Sir Sidney Dacres and Admiral Symonds, with two civilians, who will visit the dockyards and judge for themselves by careful inspection whether arrangements might not be made for effecting a diminution of expense, with, at the same time, increased advantage to the public service. Another matter is the unsatisfactory way in which the work in the shipbuilding yard is carried out under the system of day pay. Complaints have been made that we do not get a fair day's work for a fair day's wages. My right hon. Friend the present Minister for War and myself were much struck with some matters that were brought under our notice, and during our official tour, and also subsequently, we have had conversations with the various superintendents of the yards to see whether any other system that would be more economical and better for the interests of the country might not be adopted. Of course, the quicker a ship is built the more economical it is. At Chatham and at Pembroke we found that there prevailed, in respect to the building of iron ships, a practice of day pay with piecework up to a certain point, allowing the men to earn 25 per cent more than their daily pay. This system has been, in different degrees, tried on the two vessels last built—namely, *Bellerophon* and *Hercules*. Both of them are iron-clads; and they were ordered by the Duke of Somerset. I hold in my hand a statement prepared by Captain Houston Stuart, the most intelligent and energetic superintendent of Chatham yard, showing the work that was performed on the *Bellerophon* and the *Hercules*, and illustrating the advantages of piecework as compared with daywork. By this Return it appears that the number of tons of material worked into the *Bellerophon* during the first 52 weeks of her progress was 1,716, while during the same number of weeks the amount worked into the *Hercules* by piecework was 2,767; the cost of labour in the case of the *Bellerophon* being £24,196, in that of the *Hercules* £30,899, the amount, of course, being larger in the latter case, because the men were allowed to earn more than their daily pay. The cost per ton for labour, however, which for the *Bellerophon* was £14 2*s.*, was for the *Hercules* only £11 3*s.* 6*d.* It further appeared that the average number of tons of material per week prepared and worked into the ships, extending over 52 weeks, was in the case of the *Bellerophon* 33, in that of the *Hercules* 53 tons. The average number of tons per week worked into them from their commencement in the dock being in the case of the former 49, in that of the latter, by the extended system of piecework, 86; while the total number of days expended for all trades was on the *Bellerophon* 119,520, on the *Hercules* 137,250; the average number of days per ton being 69½ for the *Bellerophon*, 49⅔ for the *Hercules*. My right hon. Friend the Secretary for War was very much struck by this statement, as I think the Committee will be, and there is every hope that the system will be introduced into our wooden shipbuilding, although whether it will ever be carried out with respect to that most unsatisfactory part of dockyard work, the repairs and re-fitting of vessels, I am much less sanguine. I now come to another point to which I wish to invite particular attention. When the present Board of Admiralty came into office they were very much surprised, on looking over the Returns of the expenditure in our dockyards, to see the large amount of wages of artificers and shipwrights which was annually set aside for the repairs of old as compared with the building of new ships. They consequently examined into the subject very closely, and the result is that we are enabled in these Estimates to effect an entire change in these relative proportions. All through the autumn submissions were sent in to us asking our assent to these costly repairs, in some of which the hon. Member for Lincoln (Mr. Seely) would have delighted to revel. At length the Board of Admiralty decided that a line must be drawn, and that vessels which were no longer fit to fight or to run away should not be repaired at anything but a very small cost, and for temporary service. I have therefore the gratification of being in a position to state that, whereas last year £240,000 were taken for the wages of artificers for building ships, and £290,000 for repairs—that is to say, £50,000 more for repairing than building—we ask this year £344,000 for building and £284,000 for repairs—in other words, an excess of £60,000 for building over repairs, instead of £50,000 excess for repairs over building. I only hope that this commencement in a direction which I think is right will find favour with the Committee; and that if, owing to any accident to which Governments are always liable, the present Board of Admiralty should not long retain office, our policy in this respect will not be reversed by our successors. Next comes the question, as to what class of ships we should build. In dealing with this point, I must be permitted to allude to an answer which was given by my right hon. Friend the Secretary for War (Sir John Pakington) at the close of last Session, which has been somewhat misunderstood. He, on the occasion to which I refer, stated that such was the condition of our reserve of small ships that there was the greatest difficulty in supplying the necessary number of reliefs to our squadrons on foreign stations. That statement at the time it was made was much commented upon in some of the newspapers, as conveying an animadversion on the administration of the late Board of Admiralty; but nothing could have been further from his intention. What my right hon. Friend said was merely a repetition of that which was embodied in a document signed by a distinguished officer who occupied the position of the First Naval Lord in the late Administration. Now, in proof of the correctness of this statement, I may mention that, if any accident were to occur to any of our vessels on foreign stations, we have at the present time only seven vessels ready to be sent out to supply their places. Two of these, the *Mersey* and the *Phœbe*, are large frigates and not suitable for that service, two of the others are sloops, *Chanticleer*, and *Cameleon*, and other three are gunboats, and these are all the vessels that the Admiralty have in the shape of a reserve if any disaster were to occur. There is, as hon. Gentlemen know, a constant demand for reliefs. I may here add that if there be any station in the world in which it is desirable that ships should not be allowed to remain for a long time without relief it is the African coast, because of the necessity which there is for change in order to preserve the health of the men. From that station the Commodore writes entreating us to send out two more vessels, inasmuch as he cannot otherwise dispense with the services of ships which, for sanatory reasons, it would be well to remove to St. Helena or Ascension. From the Pacific Squadron comes the same cry, and nothing can be done to comply with these requests until ships of a suitable size are provided, some of which I trust will soon be in readiness. While upon this subject I may, perhaps, though only a subordinate Member of the Government, be allowed to say that it is in my opinion a grave question whether the time has not come for the House of Commons and the country to consider what is the absolute necessity or advisability of keeping up large squadrons in all parts of the world of small unarmoured ships, which, when a more formidable ship than they approaches them must, what is vulgarly termed, "cut and run." At the present day, especially when, very properly, the principle of non-intervention is in the ascendant, no captain of one of these vessels would take upon himself, in the event of any dispute arising between British subjects and the Government of a country in whose waters his ship happened to be lying, to demand or exact immediate reparation. He could, in fact, do nothing until he received instructions how to act from Her Majesty's Government at home. Under these circumstances, I, for one, should feel the greatest satisfaction if the moment should arrive when Her Majesty's present Advisers or any other Government should deem it to be consistent with the interests of humanity and of the public service to modify or remove altogether the African coast squadron. By that means numbers of our seamen and officers would be saved from being devoured by the frightful pestilence which is so destructive on those shores. There are many distinguished officers, who, having studied this subject carefully, and knowing well the position of the slave trade, aver that by keeping up a small force composed, say, of two or three large and swift ships at Gibraltar, ready to pounce down at any moment unexpectedly on the agents of the slave traffic, that odious trade which has greatly diminished might be kept in check. These are questions of national policy which the Admiralty have no power to decide. All that we have to do is, so long as it is the policy of the country to maintain the present large squadrons, to provide a sufficient number of vessels efficiently to relieve them when occasion requires. That being so, our attention has been directed to what class of ships it is most desirable we should construct in our dockyards; and I am happy to say that we deem it, on the whole, the wisest thing to carry out in some measure the policy of the late Board of Admiralty, and to lay down a certain number of vessels of the *Amazon* class. The *Amazon* was a most unfortunate vessel; but, though she came to an untimely end partly through the neglect of a young officer, the Admiralty think that that is no reason why this useful class of vessels should be discontinued. They are most useful vessels, have great speed, and have superseded the *Roebuck* class of despatch boats, which never exceeded 11 knots per hour. The *Amazon* class have realized 12⅛ and 12¼ knots, and they will carry instead of two 68-pounders some light guns, two 6½-ton rifle guns, and two 64-pounder rifle guns. Four of these are being laid down by us in the various dockyards, and being somewhat altered from the *Amazon*, are known as the *Blanche* class. The next vessel which we have ordered to be taken in hand is destined to replace a class of vessels which are very dear to the heart of our admirals, the old paddle-wheel steamers; of this class two are in course of building. They are of 1,460 tons, have admirable accommodation for a small number of troops and supernumaries and for stores. If this class of vessel succeeds, there is no intention of building any more paddle-wheel steamers, as these being screws will be more economical. They will be known as *Juno* class. Many of the paddle steamers have been running for forty years, and have cost rather more than double their original value in repairs. It has also been thought expedient to lay down some gun vessels, known as the *Plover* class. Their burden is 678 tons, they carry three guns—one 6½ ton rifle gun, and two 40-pounder rifle guns—are built of wood, and have twin screws, which enable them to turn with great facility. They have also a very slight draught of water, and are consequently fitted for going up creeks and rivers which larger vessels could not enter. They are expected to run as near as possible 11 knots per hour, or at least two knots in excess of the class they are intended to supersede. The Board of Admiralty propose to build ten of these vessels in our dockyards. The next is a useful class of vessels suited well for a peculiar service—namely, the suppression of piracy in China. Our present squadron in the China seas consists of thirty-six vessels, and of these twenty are gunboats built at the time of the Crimean war. They were hurriedly built of green wood, and are now rotting away, and it is therefore necessary to push forward as speedily as possible a class of vessels to take their place. Let me not be misunderstood; these vessels will be suitable for other service. My right hon. Friend the Secretary for War (Sir John Pakington) would never consent to build any class of ships which could be available for one particular service alone, as being vicious and uneconomical policy; and my right hon. Friend would not have sanctioned this outlay for relieving the squadron on the China station, unless the ships to be constructed were serviceable for the wants of the navy in other quarters. With this view we proposed to build ten gunboats of 460 tons; they are of a composite class, with iron frames and wooden planking. They will be of a light draught, and will require 120-horse power. There were in some of the Crimean gunboats, which have been broken up at Portsmouth, engines of 60-horse power, which, by taking two of them, will be of the required power, and rendered available for these vessels. All that it will be necessary to provide will be the boilers. A gentleman wrote the other day to *The Times*, pointing out what he designated as the extravagance of the Board of Admiralty, and stating that the Admiralty did not seem to know that various pairs of engines were rotting away at Portsmouth. So far from the Admiralty not knowing that these engines were at Haslar, they have for months past destined a use for them, and if the writer of that letter lives another year he will see some of those engines fitted, at a great saving of expense to the country, in some of these twin-screw composite gunboats. Besides these, there are in the course of completion this year, at Haslar, two other gunboats, the *Orwell* and *Bruiser*, which were ordered by the late Board. During the official inspection we observed at Pembroke and Chatham two small class wooden vessels far advanced, specimens of a class which had been tried and found wanting in the anticipated speed. They had, therefore, been left on the stocks, where they had remained for six years. One of these vessels was at Chatham—a gunboat of 425 tons and 80-horse power—the *Newport*, and there being a great want of surveying vessels, and this vessel being admirably adapted for the purpose, the Admiralty ordered its completion, and it is now being brought forward, and will be finished within the year.

The amount of money which has already been spent on the *Newport* is £5,618, and the total estimate to finish it is £13,630. The other vessel, the *Myrmidon*, at Pembroke, is larger, being 695 tons in burden, and of 200-horse power. The money spent on her up to the present time has been £14,682, and the estimate to finish her is £27,682. There is a larger work on which my right hon. Friend has entered, and which, I dare say, will raise some discussion. At three of Her Majesty's Dockyards persons are confronted on entering with what may be termed the skeletons of magnificent men-of-war. These three, *Robust*, *Bulwark*, and *Repulse*, were laid down as line-of-battle ships; but when the change came over the spirit of modern warfare, the shipwrights were taken off their work, and the vessels remained incomplete on the stocks. One of them, the *Repulse*, has up to the present time cost £61,711, and if she were broken up she would represent a loss to the country of £27,500. The Board of Admiralty has, however, decided to finish her as an armour-plated ship. She will be an improved *Zealous* class, and when completed she will take her place among our men-of-war with every chance of success—in fact, Admiral Yelverton, in his Report of the Channel Squadron, declares his conviction that these wooden conversions form a most useful class, and expresses his hope that the Government will provide the service with more such vessels. I do not know whether I have trespassed on the attention of the House too long; but as the Admiralty has now been persistently attacked on all sides, I wish, if a good case for it can be made out, that it should be done by me; and, as a proof that these much abused dockyards are capable of carrying out great works, let me read to the Committee the following programme:—The estimated cost of ships to be built (including completion for sea) in the Royal Dockyards during the financial year 1867-8, is as follows:—Iron-clad ships, tonnage 3,136, cost £216,346; iron-clad turret ship, *Monarch*, tonnage, 2,072, £124,320; iron frigate, *Inconstant*, tonnage, 1,801, £72,040; converted iron-clad frigate, *Repulse*, tonnage, 1,393, £83,580; wood corvettes, *Juno* and *Thalia*, tonnage, 1,139, £39,865; sloops, *Blanche*, &c., tonnage, 4,001, £142,936; gun vessel, *Myrmidon*, tonnage, 130, £4,290; twin-screw gun vessels, *Plover*, &c., tonnage 4,248, £140,184; twin-screw gunboat, *Cracker*, tonnage, 4,345, £139,040; surveying vessel, *Newport*, tonnage, 212, £6,996; gunboats, *Bruiser* and *Cromer*, tonnage, 201, £6,030; tug steamer, *Carron*, tonnage, 167, £1,775; yard craft, *Woolwich*, tonnage, 100, £1,715. Total tonnage, 22,945; total cost, £979,117. I must say I think that if the result bears out that Estimate, which I know has been most carefully prepared, the most ardent critic of the Admiralty will not be able to say that the dockyards have not turned out some good work for the Queen's service and for the Nation's money. In Vote No. 7, for the Victualling Yard, there appears an increase of £771, owing to some new machinery, which I will explain when we come to the Vote. I next come to Vote 10, section 1, which is most important, and with reference to which I must notice the great energy and absence of prejudice displayed by my hon. and gallant Colleague (Sir John Hay), under whose supervision the stores of the navy are placed. There appears a small increase of £17,000, of which £8,000 is for capstans for the new ships, and £8,000 for oil, an increase occasioned by the increased size of the engines in our large ships. There appears a reduction of £100,000 for coals, owing to the Indian Government taking on themselves the expense of what fuel is required for the Indian transports, of which there are five, altough the ultimate saving on the year will not exceed one-fourth of that sum. [Mr. STANSFELD: There is a decrease in coal besides that.] You are quite right, but I had better not go into these minute details. The great reduction in the Storekeeper General's Vote is in the stock of timber. The establishment supply of timber is 60,000 loads, but that was fixed not in these days, when wooden shipbuilding is confined to small vessels, but in the high and palmy days of "the wooden walls." We therefore felt that now, when iron ships have almost entirely superseded wooden ones, an establishment supply of 60,000 loads was more than sufficient. The consequent reduction in the Storekeeper's Vote is £149,990. I now come to Vote 10, section 2, and this shows an increase of £572,000 for iron shipbuilding by contract. On this, the Controller of the Navy's Vote, I should like to be allowed to say a word or two. But for this excess of £572,000, the Estimates would have presented almost perfect identity of amount with those of last year. Therefore, I would wish particularly to draw the attention of the Committee to it. Of this increase it will be found that £83,850 is for the progress of the cupola ship, *Captain*, now building by Messrs. Laird, Brothers, of Birkenhead, and designed by my gallant friend Captain Coles, who has been allowed to chose his own tonnage, his own specification, and his own builder, in order to give the country a fair trial of his system, on the results of which we may be able with safety to rely. I must say here, in my place in Parliament, that there never was any body of men called to discuss questions of this kind who have brought to their discussion a more favourable feeling as regards the turret system, than did the Board of Admiralty over which my right hon. Friend the late First Lord (Sir John Pakington) presided. Of course, the Secretary to the Admiralty has no power of himself in such matters; but I may assert that from the First Lord down to the Secretary, they were one and all, from the first day of their deliberations, willing and anxious to give, I will not say a partial, but certainly a most favourable consideration to the plans of my gallant friend, and in every way in their power to assist. Unfortunately, various circumstances occurred with reference to the specifications which caused some delay in the laying down of the *Captain*; but that was owing to no want of attention on the part of the Admiralty, who did their utmost, by agreeing to every wish expressed by Captain Coles, to facilitate the progress of this great undertaking. The next item is a sum of £344,000 for the building of iron-plated ships. This Vote will be spread over two or three years, as occasion may require. But it may be asked where is the necessity of building more iron-plated ships? I have always listened with great pain when numerical comparisons have been drawn between our own force and that of neighbouring Powers with whom we are on terms of friendly alliance. Such comparisons are always liable to arouse a feeling of mistrust and apprehension, while they give to this country a most fallacious idea of its own power. In corroboration of this view I will refer to the fact that two eminent statesmen, now unhappily no longer with us—Lord Lyndhurst and Mr. Cobden—the one in the House of the Lords and the other in that Assembly which will never cease to deplore his loss—spoke, within a very few weeks, the one in favour of an alarmist policy, the other in support of the maintenance of peace and good-fellowship; on every point did they differ, save this, that they both maintained the great inadvisability of making invidious comparisons of force, as tending to produce irritation on the one hand and misconception in the public mind on the other. But it is interesting to know what force such a nation as the French, who can in no way be considered wholly or even mainly a Naval Power, think it right and safe to keep up without in any way menacing the peace of Europe. The French Government have a fleet of forty-three iron-clad ships. Of these they have sixteen first-class; but five of these went to sea, encountered a storm, and, according to the account given in a Foreign journal, came back like crippled ducks into the harbour whence they had issued. Four have been taken from the list of sea-going cruizers, and been adapted for harbour defence. There are four building. Of the second-class they have one built and seven building. Of the third-class they have twelve built, some very indifferent specimens, and three building. But the most remarkable feature is this — they have recently followed the example of the American Government, and have laid down in their dockyards four large wooden corvettes, which are intended to have very great speed, and to carry a very heavy armament. They are intended to be used for the defence of French commerce, or to attack the commerce of any country with which they may happen to be at war. The total number of vessels in the Navy of France is 365; in that of Spain, 95; in that of Austria, 70; in that of Italy, 82; in that of Russia 218; in that of America, 234. And let me here say one word with reference to the American Navy. I can only regret that I neglected to bring among my papers a copy of the very interesting Report made by the Minister of Marine to the American Congress, in which he gives the results of the year with regard to the navy of that country. It appears from that document, which entered into a much more minute and elaborate statement than that I have the honour of endeavouring to make, that the administrators of the American Navy have for the present no intention of following our example, and building large iron-clads after the pattern of those of this country. They intend to rely solely upon turreted *Monitors*, and upon those large wooden frigates which Lord Clarence Paget last year, I venture to think, rather inaptly termed "improved *Alabamas,*" which are to be used in any future war in which America may be engaged in protecting their own commerce, and in injuring that of their foes. [MR. CHILDERS said, those vessels were about 3,000 tons burden.] They are of a rather larger tonnage than that. I understand about 3,700 or 3,800 tons. Now, from what appears in the newspapers, there seems to be a prevailing idea that our own coasts are poorly defended, and that it would be advisable at once to build some turret vessels after the American model for the defence of our coasts; but I think that that is the last class of ship of which we are in immediate want. In the first place, I believe that nothing is more improbable—impossible I had almost said—than that our shores should be invaded. Secondly, I cannot forget that Mr. Wells in his report to Congress deplored the fact that in Portsmouth alone there was three times the accommodation that the whole dockyards of the United States could furnish, and that the private dockyards of England were in the same ratio vastly superior to those of America. Still, notwithstanding this want of dockyards national and private—in the course of five months, during the late war, that country converted its wooden ships into a fleet of turreted *Monitors,* sufficient to make a network, which would effectually serve to protect the long line of American coast from the most powerful enemy. If then America, with its limited means, could in so short a time produce such great results, what might not be effected by the spirit of Englishmen backed by the facilities derived from vast private yards, were so unhappy a contingency to arise? Under these circumstances I believe that this is a class of ships, the building of which may well be postponed. I may, perhaps, be asked, "Why do you add to your iron-clad fleet at all?" In reply I would ask, are the people and the Parliament of this country content that England shall stand still with regard to her navy, and allow all the other naval Powers of the world—be they great or small—attempt to pass her in the construction and in the scientific armament of their fleets? Upon this point I must, with no invidious motive, draw the attention of the Committee to the following figures:—In 1860-1 the sum of £582,805 was taken for iron-clad ships; in 1861-2, £935,932; in 1862-3, £966,141; in 1863-4, £630,203; and in 1864-5, £668,412. In 1865-6, £120,000 was asked for by my gallant Predecessor for building iron-clads; but that sum was not spent, and last year not a single farthing was asked for that purpose. Under these circumstances, unless the people of England desire that their fleet shall stand still, I think that the Board of Admiralty is justified in applying this year to Parliament for money for building iron-clads. The French naval authorities, whose example in this respect is followed by those of Austria and of Italy, make no unusual efforts at any particular time, but go on adding every year to their fleet, and year after year adopting the improvements suggested by science, and in the end those countries have obtained serviceable fleets. I am sure that that is the soundest policy that could have been pursued, and I only wish that it had been adopted in England. In this way she would not allow other countries to get gradually ahead of her. If we are to adopt the latest improvements, it is time, after two years in which nothing has been spent, that something should be done. I should be the last to act the part of an alarmist, to believe in the likelihood of any foreign invasion of our shores or in the probability of any direct attack being made upon the majesty of England.

MR. CHILDERS said, that the noble Lord appeared to forget that iron-clads were being built last year in the Royal Dockyards.

LORD HENRY LENNOX: I have already dealt with the dockyards. I am referring to the Vote for building iron-clads in private yards. Having come to the conclusion—rightly or wrongly—that the time had come when we must build additional iron-clads if we wished the country to keep its position among the naval Powers of the world, the question arose as to the class of which the new vessels should be. We had only eighteen iron-clads of the first class, but of these four—the *Warrior,* the *Black Prince,* the *Defence,* and the *Resistance* — were not perfect specimens. Of the second-class there were two iron-clads afloat and one building. This was a class of ship that was much wanted, but then came the difficulty, what was to be the pattern, whether the new ships should be built on the broadside or the turret principle. We knew that there was a strong bias in the public mind in favour of the latter; but it was the desire of the Admiralty to get a comparatively small class of sea-going vessels. My gallant Friend (Sir John Hay), one of the first authorities on this subject either in the House or out of it, has gone fully into this question; and though by some it was maintained that the turret principle might be applied with success to small sea-going ships, yet one thing was clear with regard to this question, that as the *Captain* selected and designed by Captain Coles to test the soundness of his views was in course of building, it was not desirable to spend more money in building additional turret ships until the completion of that large vessel. The Controller of the Navy—and every one who has occasion to transact business with Admiral Robinson will be able to testify to the clearness of his head, the calmness of his judgment, and the consideration with which he listens to suggestions from every quarter—has, in conjunction with Mr. Reed, undertaken to design an iron-clad ship, of the following proportions:—The new frigate will be of 3,778 tons burden, and of 800-horse power. Her draught will be 21 feet 6 inches forwards, and 22 feet 6 inches aft, while her speed is anticipated to be about 13½ knots per hour. Her complement will be 450 men, and her sides will be protected by armour-plates 8 inches thick, diminishing at her extremities to a thickness of 6 inches, the inner skin being 1¼ inches thick. The main-deck port cills will be 8 feet out of the water, and the upper-deck port cills 16 feet. Her armament will consist of six broadside 12-ton guns on the main-deck, and a 64-pounder at both bow and stern. The peculiarity of these ships will be that they are to have a sort of semi-turret on the upper deck on each side, inside which two 12-ton guns will be mounted. There will be four ports—two on each side—giving a range of fire from a line with the keel to an angle of 90° from it. They will have nearly all the advantages of turret ships, while the disadvantage under which most turret-ships labour—that of being so low in the water as to prejudice the health of the crew—will be avoided. The weight of the hull of these ships will be 2,740 tons, the weight of the armour on their sides 850 tons, and of the backing 140 tons. These vessels will belong to the second-class of iron-clads; and of them we propose to build two. We also propose to build by contract ten gun-boats on the same principle as those in the dockyard. There is also an intention of building another of those ships of the *Inconstant* type, which were laid down by the late Board, and which are chiefly intended to protect our commerce and to harass that of the enemy. Some objections, it is true, have been taken to these vessels, one of which will come home to the feelings of Englishmen—that they go so fast that they need never come within reach of the enemy's guns—that is to say, that their best qualities will be shown in their powers of running away. Now, it is quite clear that our iron-clad vessels are eminently unfit for this service, because a ship which is to defend the commerce of our own ports or to harass that of an enemy must be a cruizing ship, fit to keep the open sea for months, and able to go under canvas as well as under steam. These are the considerations which have induced the Admiralty to recommend that another ship of that description should form part of our scheme for this year. There are only two or three points more upon which I need trouble the Committee at any length. Public attention has lately been directed to a paper displaying much ability, written by Mr. Henwood. Now, I can quite understand the inquiry which has been made—Why, when you have got a quantity of magnificent wooden line-of-battle-ships blocking up your harbours and costing so much to the country, do you not cut them down into turret-ships and thus save expense and provide a navy? The Board of Admiralty, however, do not believe that Mr. Henwood's plan would result in obtaining either good or cheap ships. I desire to speak with the utmost respect of that gentleman, who is one of the most eminent shipbuilders in the country; but I must think that not being accustomed to build ships of war he has formed his conclusions rather hastily. His plan has this great drawback at starting, that he deals with ships many of which are worn by age and are weak, through having been converted from sailing vessels into screws, and are, therefore, more or less deteriorated and ill-fitted to bear another conversion. Many of them have engines which are partly worn out, and these would require new engines and extensive repairs. I have here a statement drawn up by the Controller of the Navy showing the results obtainable, under Mr. Henwood's plan, of conversion. Let us take, first, one of the ships best adapted to the purpose—the *Victoria*—and compare her with a ship well known to many hon. Gentlemen opposite—the *Royal Sovereign*. It may have the effect of changing Mr. Henwood's opinion as to his own plans. If the *Victoria* were cut down, the weight of her hull, without armour-plates or equipment, would be 3,724 tons, whereas that of the *Royal Sovereign* is 2,496 tons; the weight of her armour of all kinds would be 1,056 tons, that of the *Royal Sovereign* being 786 tons; the turrets and guns in them would weigh 1,028 tons, against the *Royal Sovereign's* 685, and her equipments would weigh 2,824 tons, compared with the 1,204 tons of the *Royal Sovereign*. The result would be that the *Victoria* would weigh 8,631 tons, and her deck would be only 2 feet 2½ inches above the water, whereas the *Royal Sovereign* weighs but 5,191 tons, and the height of her deck is 7 feet 1½ inches. I will just state what the height of deck above low-water line would be with different ships if they were converted on Mr. Henwood's principle, and fitted with the number of turrets contained in his proposal. That of the *Duncan*, if fitted with three turrets, would be 2 feet 8 inches; the *Prince of Wales*, with four turrets, 2 feet 1½ inches; the *Renown*, with three turrets, 1 foot 11 inches; the *Windsor Castle*, with three turrets, 1 foot 8½ inches; the *London*, with three turrets, 10 inches; the *Howe*, with four turrets, 8½ inches; and the *Conqueror*, with three turrets, 2 inches. Under these circumstances, the Board, I think, were amply justified in hesitating to cut down these ships upon plans so faulty and ill-considered. I hope, however, to show the Committee that we have tried to do our best to deserve the confidence of Parliament and the country. We have felt that there was a great objection to these line-of-battle-ships continuing to block up our harbours and rivers. On taking office we found fifty-five ships of the line blocking up our harbours and rivers, the value of which, including those in commission, is about £8,350,000, and to complete and repair which would cost £1,250,000. Each of these ships lying in reserve in our harbours costs at least £1,000 a year for shipkeepers, stokers, boats, moorings, repairs, and stores. Then there are the wages of the shipkeepers, stokers, and engineers, which for the whole of our reserves amount to £98,260 per annum. We must add to this the cost of wages under Vote 6, £15,000, and for stores £4,000 more, making a total of £117,260 a year as the cost of merely keeping up these ships in a proper condition. We felt that some of them were worthless as men-of-war, and could not by any process of conversion be made available for the service of the country. My right hon. Friend (Sir John Pakington) consulted with the Board, and it was decided that the time had come when the worst of these ships might with advantage be sold. Thirteen of the worst ships have consequently been disposed of, and within the current financial year £85,000 will be paid for them by Messrs. Castle and Beach and another firm at Devonport, into the Treasury. Of course, it is not for me to say positively whether any more of them can be sold at present; but I think my right hon. Friend (Sir John Pakington) has in this, as in many other things, shown that he was not crippled by "red tape" prejudices in the office which he had recently the honour to hold; but that he brought his sound common sense to bear on the question, and that, finding how much these ships were costing the country without any corresponding advantage, he decided to dispose of them on the best terms he could. They have been sold under new conditions for which my right hon. Friend is responsible, and I prefer that he should on another occasion explain the details of the manner in which it has been done. There is only one more Vote which I wish to touch upon, and it is one of the most costly Votes—namely, that for New Works, &c. Now, I wish to express my sense of the readiness which the various heads of Departments connected with the Admiralty have shown to give me full information, and the forbearance they have shown towards those who, like myself, enter office with no previous experience of official details. I am afraid the Vote for Works is generally rather extravagant; but this year there is a decrease of £4,277 over last year. The sum voted last year was £892,865, but of that a certain portion was not spent. The sum asked for this year is £888,588. This is caused by a large extension of dock accommodation at Chatham and Portsmouth. For this outlay the present Government are not responsible. The subject was carefully considered by a Committee of the House of Commons, and the present Board of Admiralty have had no option but to proceed with these works, which were sanctioned by an Act of Parliament. They were not proceeded with last year owing to the financial crisis, which rendered it inexpedient to ask for contracts. There is another item of £475,000 for extra receipts and re-payments, upon which I must offer some explanation. The item generally consists of a sum of £140,000, under this head it varies very little, and is generally calculated on an average over three years. A sum of £85,000 has been already got by the sale of ships, and my hon. and gallant Friend (Sir John Hay) authorizes me to say he has not the slightest doubt that, without detriment to the public service, a sum of £150,000 may be obtained by the sale of timber, for some of which there is no present use, some of which has actually deteriorated, and other portions of which are in course of further deterioration. The present Board of Admiralty did not think it desirable to go to the expense of building sheds to cover this obsolete or deteriorating timber. My hon. and gallant Friend will be able to state more in detail than I can do the peculiar quality of this timber, some of which would for certain purposes find a ready sale in the market, especially the Honduras mahogany. I now come to the item in this Vote for pig-iron, to which the hon. Member for Lincoln (Mr. Seely) has called the attention of the House. Last autumn Messrs. Ryland, of Birmingham, whose firm is considered a leading one in the iron trade, applied for half a ton from each dockyard for the purpose of testing the quality of the iron. I thought there was no harm in giving them the iron, because if the hon. Member for Lincoln were wrong, it would give me the opportunity of putting him right, and if he were right it might give us a sum of £100,000 or £150,000 to be paid into the Exchequer. With that view half a ton of pig iron ballast was supplied to Messrs. Ryland from each of three dockyards, and at the same time a trial was conducted at Portsmouth Dockyard by Dr. Percy, under the direction of my hon. and gallant Friend (Sir John Hay). Dr. Percy has entirely corroborated the view taken by Messrs. Ryland that this iron might be sold at a high price. The Correspondence on this subject has been moved for and will be produced, and any further papers which will facilitate the inquiry of the hon. Member for Lincoln will be cheerfully given to him. I think the sum of £100,000 for pig iron ballast is a very moderate one, and I am borne out in that opinion by Mr. Ryland, with whom I have had several interviews and correspondence during the last month. Steps have already been taken practically to test the value by giving over to Messrs. Ryland fifty tons of the ballast stacked in Woolwich Dockyard. These items make up a total of £475,000, including £100,000 for pig iron ballast, £150,000 for timber, and £85,000 for sale of ships. And that is exclusive of eight or ten other ships, which it may be for the public advantage to sell, and the proceeds of which would swell the figures in this item. These are the proposals which, on behalf of the Government, I have to lay before the House. It is rather out of my line to deal with such masses of figures; but I have done my best to make them clear to the House, and in the course of the long discussion which will doubtless take place, I shall be ready to give any further explanation in my power. These proposals we believe to be moderate ones; they are the very least which the Government consider they ought to make, and if they are accepted we think that England may for the future, as she has done for generations past, rest with confidence on the navy as the right arm of her strength in the hour of danger.

Motion made, and Question proposed,

"That 67,300 Men and Boys be employed for the Sea and Coast Guard Services, for the year ending on the 31st day of March 1868, including 16,200 Royal Marines."

Mr. GLADSTONE: I am sure I only give expression to the feeling of the House when I congratulate my noble Friend on the manner in which he has discharged the duty intrusted to him. It was from no objection to him in his personal capacity that I raised a question in the early part of the evening. In listening to my noble Friend, I am bound to say, without entering into any details, that there were some points upon which, not only with regard to manner, but matter, I heard him with great satisfaction. I do not rise to intercept the discussion which usually succeeds this statement, but it also raises a wider question, which has been illustrated by the statements of the noble

Lord. So far from being disinclined to accept the noble Lord as the organ of the Government with respect to the Admiralty, there were some parts of his speech which led me to desire that he occupied a more prominent and important position than the one which he actually holds. He alluded to one question of great importance—the proposal to build a great number of new gunboats. The object is that they should be scattered over the whole world, with the view of maintaining on the present scale that system of manning every part of the globe with vessels that have no force of resistance, and which, instead of being a force of security, would either have to be defended or else run away at the first menace of danger. The noble Lord put a query of a most significant character, intimating that the opinion he entertains is adverse to that system. But it has been brought into peculiar prominence by the Estimate; because the large outlay proposed to be made this year will be followed by a very large outlay next year, which will arrest the progress of certain important vessels now being built intimately connected with the defence of the country. The noble Lord indeed made out my case; because, having adverted to this scattered force constituting one-third of the force of the British Navy, he stated with the utmost candour that it was not his business to announce a policy, or to give an opinion on the case. Many Gentlemen on this side of the House would like to take this opportunity of raising a question connected with this policy, because the building of this great number of small gunboats directly challenges the judgment of the House on this subject. It is natural that the Government, having come to these conclusions, should seek to embody them in the Estimates; but the noble Lord will see that the question is a very large one, not only with regard to the number of these gunboats, but because it tells directly on the number of men who will be required to man these gunboats in different parts of the world. I hope it will be understood that hon. Gentlemen who are desirous of discussing this question at large are not merely certain Gentlemen who have certain speeches in their minds of which they are anxious to get rid, but Gentlemen who wish to make an earnest appeal to those who are responsible in this matter, and particularly to those charged with the conduct of this Department—namely, the right hon. Gentleman the late First Lord of the Admiralty (Sir John Pakington) who has the most minute knowledge of the principles upon which, and the objects for which these Estimates are framed, and also to the right hon. Gentleman (Mr. Corry) who has succeeded him, and who, when he returns to this House, must assume the responsibility for them. Supposing Gentlemen on either side were to urge upon the noble Lord (Lord Henry Lennox) the most convincing arguments and statements in support of opinions which he might be inclined to embrace, he might repeat the answer he has given to-night in so many words—that he is not here to announce a policy. And that would be a good answer to us, not only because he is the Secretary to the Admiralty, but because he is not the representative of that Department in this House. If it were convenient for the right hon. Gentleman opposite (Mr. Disraeli) and his Colleagues to make the noble Lord the representative of the Board of Admiralty in this House, I venture to say we should all be ready to accept him as such, and to treat him with as much courtesy as has been extended to any of his predecessors. As has been suggested by the hon. Member for Nottingham, I believe there is no occasion for a Vote on Account, although, if it were necessary, there would be no informality caused by that, because there might still be some reduction made upon the Votes upon the table. But, with a view of securing a clear field for the important and large discussion upon what I may call the principle of these Estimates, I should be glad to learn from the right hon. Gentleman opposite (Mr. Disraeli) that this Vote for the number of men, which virtually fixes the scale of the establishment of the navy, will not be taken to-night. I do not now make the actual Motion that the Chairman report Progress, though I should be ready to do so if requisite.

THE CHANCELLOR OF THE EXCHEQUER: Without troubling the House with many reasons, I would say that, perhaps upon the whole, it will be advisable not to press this Vote to-night, and we can report Progress. Since I last had the honour of addressing the House, a telegram has arrived from Ireland, informing us that the election of the First Lord of the Admiralty (Mr. Corry) will take place on Tuesday, and not on Thursday, so that my right hon. Friend will probably be in his place on Thursday, to go on with these Estimates.

Mr. SHAW LEFEVRE said, he wished to ask respecting the production of a certain Return.

Lord HENRY LENNOX said that, as hon. Gentlemen opposite denied that he was the organ of the Admiralty in the House of Commons, it would be presumptuous on his part to commit his Chief in his absence on that matter.

Mr. CHILDERS said, he wished to ask how many tons of iron ballast were represented by the £100,000, for which the noble Lord had taken credit?

Lord HENRY LENNOX said, the iron was of various qualities, and he could not then state, with exactness, how many tons it would take to realize the £100,000. The Messrs. Ryland were of opinion that at least £100,000 could be paid into the Exchequer in the course of the financial year.

Mr. CHILDERS said, he hoped that more precise information on this head would be given on Thursday.

Sir JOHN HAY said, there were about 36,000 tons of that ballast which might be got rid of; but it would not do to glut the market with it. From the price which it fetched, it would be necessary to deduct about £1 5*s.* a ton for the cost of repairing the yards with granite or other materials. The iron was of different qualities, and the estimated value varied from £2 15*s.* or £2 16*s.* per ton for about one-sixth of it, up to £5 or £6 per ton for some portions of it. It would be impossible to give the exact sum which might be expected from this source in the course of the next financial year, until the experiment of bringing the ballast into the market had been practically tried. The Admiralty, however, believed it would be a large sum, and it was put down at £100,000.

Mr. CHILDERS said, he still thought the House would require to have clearer information as to how much money per ton that iron would yield. Separate accounts should be kept of the produce of the iron, and the cost of paving the dockyards. The skill and knowledge of the officers of the dockyard had been much impugned as to the value of the iron placed in their charge. It was said that a large portion of it was particularly good for the production of shot. If so it might be of great value if transferred to the War Office. On Thursday he hoped they would obtain more definite explanations on the matter.

Mr. O'REILLY said, he wished to ask the date of the purchase of the surplus timber which the Admiralty were now going to sell. About five years ago £1,000,000 worth of timber was purchased, and when some Members wished to raise a discussion upon that purchase in the House they were told that they were too late, as the purchase had been made, although the Vote was only just then going before the House.

Mr. SAMUDA said, he wished to ask several questions with reference to the two second-class iron-clads provided for by the Estimates. He wished to know if they were to be similar vessels, and if they were to be plated all over or only in the centre, at the extremities, and round the water-line? He also wished to know if the semicircular projections which had been mentioned for guns would allow the guns to be fought below or above deck?

Sir JOHN HAY said, they were to be entirely armour-plated, with six and eight-inch plates. The projections would have three ports, taking guns working on pivots under cover. With regard to the purchase of the timber, it was difficult for him to say when it had all been purchased; but a considerable amount had been bought prior to 1860-1, when the great increase took place. Up to 1859-60, it was found that 60,000 loads of timber were sufficient for the supply of the various dockyards, and that establishment was never altered. But in 1860-1 the necessities of the service occasioned a considerable expenditure for timber—60,000 loads being expended in one year, so that three years' supply was used up in a single year. Very soon afterwards, in 1862, the process of wooden shipbuilding was changed into one of iron shipbuilding. At this moment there were 101,000 loads of timber in the dockyards, some portion of which was without cover, and deteriorating more rapidly in consequence. It was calculated that if the House agreed to the proposed plan of shipbuilding, as laid before it by the Government, 25,000 loads would be sufficient for the present year, and 18,000 or 20,000 in succeeding years. Out of the present amount, 35,000 or 40,000 loads might be disposed of, and it was assuming a low price to say that £5 a load would be obtained for it.

Mr. Alderman LUSK said, that the noble Lord the Secretary to the Admiralty had asked, but not answered the question, Why should more first-class iron-clads be built? He should be glad to know why.

SIR JOHN HAY said, there was no proposal before the Committee to build any first-class iron-clads. A turret ship on Captain Coles' principle was to be built; but he thought the Committee would be unanimously of opinion that such a step should be taken.

MR. HENRY SEYMOUR said, he hoped that other colonies, following the example of Victoria, would ask for iron-clads to protect them, at the same time providing for their maintenance. Places like Singapore and Hong Kong might, he thought, be defended by an iron-clad with a much smaller military force than was now required. There should be more iron-clads, and fewer wooden ships built. England should depend more on her navy than on her army, and then the Army Estimates might be considerably reduced. He wished to advert to the statement of the noble Lord the Secretary to the Admiralty (Lord Henry Lennox), to the effect that the African squadron might be entirely dispensed with. If the large squadrons which we kept up in different parts of the world were dispensed with, single iron-clad vessels must take their place, because the commerce of England must be defended. He supposed the speech of the noble Lord was a kind of "feeler" to try what the opinion of the House might be, and if it were well received Her Majesty's Government might have some scheme to propose. The noble Lord shook his head; but he (Mr. Seymour) wished to know whether, if the opinion of the House were favourable, Her Majesty's Government would be disposed to substitute some other means of defence for those which we now employed, and also whether, if a Motion to do away with the African squadron were brought forward, the Government would support it?

SIR MORTON PETO said, that in the absence of those whose business it was to give an answer to such questions, the wisest course would be not to prolong the discussion. He begged, therefore, to move that the Chairman do report Progress.

Motion *agreed to.*

House *resumed.*

Committee report Progress; to sit again *To-morrow.*

COURT OF CHANCERY (IRELAND) BILL.

(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland.*)

[BILL 47.] SECOND READING.

Order for Second Reading read.

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON) moved the second reading of this Bill. He said, that in 1861 and 1862 Commissions were issued to some of the most eminent Judges and practitioners of England and Ireland, to inquire into the practice and procedure of the Courts of Law and Equity. Among the members of the Commission were the present Lord Romilly, the Lord Chancellor of Ireland, the Chief Justice of the Common Pleas in Ireland, the Lord Justice of Appeal, Lord Cairns, the Attorney General for Ireland of that day, and Vice Chancellor Wood. Having made their inquiry they reported on the 27th of July, 1863. In consequence of that Report Bills were prepared by his hon. and learned Friends on the opposite side of the House, and it was one of those Bills of which he had now the honour to move the second reading. The object of the Bill was to reform the practice of the Court of Chancery in Ireland by assimilating it to the practice which prevailed in England. The measure was based upon the unanimous Report of the Commission, and was in almost every particular the same as the Bill which had been introduced by his right hon. and learned Friend the Member for Portarlington. He was happy to say that he had always been a strong advocate of the measure, and in support of that assertion he might refer to the evidence which he had given on the subject, having come to the conclusion from his experience in the Court of Chancery in Ireland that such a reform was imperatively required. He believed he had the concurrence in that remark of as good an authority as any one could be, his hon. and learned Friend the Member for Mallow. When the Bill was introduced last Session it received in its earlier stages opposition from some who were then Members of the House. If they were now present they would be able to explain the grounds on which they opposed the Bill in its earlier stage; but when it came on for second reading on the 14th of May last year the present Lord Chief Justice of the Queen's Bench in Ireland (Mr. Whiteside) stated that upon due consideration he withdrew his opposition, and was anxious to give the measure his best support. He moved that the Bill be now read a second time.

Motion made, and Question proposed, "That the Bill be now read a second time."—(*The Solicitor General for Ireland.*)

MR. SULLIVAN said, he gave the Bill in its entirety his most cordial support; but he wished to explain the circumstances under which the passage of the Bill through Parliament had been delayed for three successive Sessions. The Royal Commissioners reported, so far back as the month of July in 1863, that the practice and procedure of the Court of Chancery in Ireland, as then existing, required great amendment, and the Commissioners suggested what the Amendment ought to be. Such a matter, affecting the administration of the law, was of the highest importance, as everybody was interested in having the rights of parties quickly and finally adjudicated upon with the smallest possible expense. The practice of the Irish Court of Chancery was, however, vicious in the extreme in both of these respects. The delays and expense were enormous, and the ultimate decisions in Appeals from the Masters' offices were excessively slow, not through the fault of the Judges, but because the system was so embarrassed and complicated. The existing practice of the Court of Chancery in Ireland was most cumbrous, and demanded instant remedy. The formalities that had to be gone through were very numerous and perplexing, and cost a great deal of time and money to litigants. The Royal Commission appointed to inquire into the matter reported that the practice of the Irish Chancery Court should be assimilated to that of England, with certain modifications applicable to the law of Ireland. Founded upon the recommendations of that Report, the Government then in office, in the year 1864, prepared and introduced a Bill to give effect to them, which were in consonance with the opinions of the ablest lawyers upon the subject. The Bill, however, was met with the most decided opposition on the part of the right hon. Gentleman who now occupied the distinguished position of Lord Chief Justice of the Queen's Bench in Ireland (Mr. Whiteside), of another hon. and learned Gentleman now a *puisne* Judge (Mr. George), and of some few others who then sat upon the opposition Benches. The obstruction thus caused was the means of defeating the measure. The Bill was again

introduced in the Session of 1865, the same course was adopted by its opponents, and it was again thrown out, although it sought to remedy a crying evil. In the year 1866 he himself assisted to introduce the Bill once more; but the promoters encountered the very same opposition as on the two former occasions, though it was supported by Lord Cairns and some of the Members of the present Government, and owing to various circumstances the attempt was again unsuccessful. There was great reason to complain of the conduct on this question of the two right hon. and learned Gentlemen of whom he had first made mention. He could not say that he regretted their absence from the House, inasmuch as they were now enjoying high judicial offices in Ireland. The present Government did right to introduce another measure upon this subject. The Bill now before the House was substantially the same Bill as was formerly brought forward. It was a measure that was greatly needed, and he should support it through all its stages. Great good would result from it, and his only regret was that it had not been passed into law three years and a half ago, when the proposal was first made.

MR. WALPOLE said, he thought the measure was eminently desirable, considering the inconvenience and expense occasioned by the existing system. He was of opinion that the hon. Gentleman who had just sat down had overstated the opposition which the Bill had received from those who sat on the same side of the House as the present Lord Chief Justice Whiteside, when he opposed the measure. It should not be inferred that all who sat on the same side of the House on that occasion countenanced the opposition given to the Bill. The Members of the present Government did not countenance the opposition offered to former Bills, and for many years he had taken every opportunity in that House of calling attention to the great delay and expense involved by the practice in the Irish Court of Chancery. The former Bills had received the support of the present Lord Cairns. He thought that instead of raking up old stories, it would be better to apply themselves to the passing the Bill, which it was acknowledged was much needed.

Motion *agreed to.*

Bill read a second time, and *committed* for *Thursday* next.

METROPOLITAN POOR BILL.

(*Mr. Hardy, Mr. Earle.*)

[BILL 66.] THIRD READING.

Order for Third Reading read.

Motion made, and Question proposed, "That the Bill be now read the third time."—(*Mr. Gathorne Hardy.*)

MR. J. STUART MILL: I wish to make only one or two observations. This Bill effects a great improvement in the existing state of things, and the chief thing to be regretted is that it does not go further. The right hon. Gentleman (Mr. Gathorne Hardy) has reserved to himself the decision of a point which he was urged by several deputations to decide by the Bill itself—namely, the extent and boundaries of the districts, each of which is to have an asylum to itself. I wish to urge upon the right hon. Gentleman the importance of making these districts large; as large as the present or future Parliamentary districts. Less than this will not answer the purpose; and I hope the right hon. Gentleman will give us this evening some idea of what are his purposes on this subject. Another point of more importance is, that there should be created, to stand between the Poor Law Board and the local Boards, an intermediate representative body, which might be intrusted with the administration of the law concerning the metropolis as a whole, and which, although elected, might have the exercise delegated to it of some of the functions now reserved to the Poor Law Board. I much regret that the right hon. Gentleman has not taken powers to establish such an authority, for we know that he is himself favourable for it. The value of large bodies representing large constituencies, as compared with small bodies representing small districts, is indisputable. I will at present confine myself to suggesting one or two practical cases in which it will be found of importance. Take the case of an epidemic likely to affect the whole metropolis, but for the present confined to a single district. In that case the resources of the entire metropolis could, through the administration of the general Board, be applied to the district in which they were wanted. Something like this was done lately in apprehension of a visit of the cholera, by the establishment of a central committee sitting at the Mansion House. That committee centralized the charity of the whole of London. Again, there is the case of destitution confined to certain districts. In these cases the buildings and beds in some parts of the metropolis are empty, while in the districts suffering the distress they are crowded. The value of a central or intermediate Board between the Poor Law Board and the local bodies, to superintend the application of the resources of the whole metropolis to the immediate exigencies of the distressed districts, is in such cases obvious. This function might well be discharged by a Central Board composed partly of the ratepayers' nominees, and partly of persons selected by the Commissioners. Another most important consideration is that referring to the providing of food, medicine, and other necessaries for the hospitals. In many cases, also, relief is most advantageously given in kind, which makes it very important that provision should be made for obtaining the best articles possible. To make contracts for the supply of these things is an operation for which no local or small body can be by many degrees so fit as is a central body either in point of efficiency or economy. Jobbing, which is inseparable from hole-and-corner proceedings, need not be apprehended in the case of a body representing the whole metropolis, making purchases on a large scale, and entering into large contracts competed for by opulent firms, for these transactions, being of a public nature, would be carried on under the eyes of the world, and subject to public criticism. No one can dispute, and the right hon. Gentleman must be perfectly aware, that efficiency and economy in contracts are better secured when the body which makes them must do so with publicity—when it stands conspicuous in the public eye. To any one disposed to object to the suggestion for creating an intermediate or central elected Board, like the one I am speaking of, that it is a step on the road to centralization, I would say that if the establishment of such an intermediate body be denied, the denial of it would be a far greater step towards centralization. The powers which such a body is best qualified to exercise have become indispensable. They will therefore be necessarily assumed by a purely Government Board, without any elected body at all—by the Poor Law Board. These are the suggestions I offer to the right hon. Gentleman, and the reasons by which I support them.

SIR HARRY VERNEY said, he thought

it must be evident to all that a Central Board—consisting partly of elected members, partly of representatives of the Government—was necessary, in order to obtain uniformity of system throughout the metropolis. It was the interest of the whole of the metropolis to cure the sick as rapidly as possible, and a Central Board could send the necessaries for the purpose to where they were immediately required, instead of allowing them to lie idle elsewhere, and it would be most useful in taking the contracts. He hoped the right hon. Gentleman would carefully consider the matter.

MR. AYRTON said, he hoped that a clause would be introduced to the effect that every person, such as medical officers and others, claiming compensation under the Bill, should take any office under the Government for which his previous occupation rendered him eligible, and that in the event of a refusal he should not be entitled to compensation. The Act might involve great cost for compensation. A similar clause had been inserted in the Probate Act. He had always advocated the appointment of a Central Board, and he was glad to find that in this respect the views of the right hon. Gentleman (Mr. Gathorne Hardy) had considerably approximated to his own. He thought it was the general opinion that there ought to be a distinct Board to manage the asylums for sick and fever patients. [Mr. GATHORNE HARDY: Hear, hear!] Now, if one Central Board were constituted, we should have a foundation which could be built upon from time to time hereafter. He thought the concession which had been made, coupled with the provision since introduced into the Bill, that the Central Board might appoint committees to superintend matters of detail in different districts, would, to a great extent, meet the views enunciated by the hon. Member for Westminster (Mr. Stuart Mill.) He hoped the right hon. Gentleman would be encouraged by the support he had received to enlarge the powers of the Central Board, and extend them to other provisions which might very well be the subject of the general administration.

MR. READ said, that twelve months ago the House was legislating in a panic on the subject of the cattle plague, and he thought the House had passed the present Bill with a certain amount of excitement and enthusiasm, which no doubt was due to the popularity of the right hon. Gentleman the President of the Poor Law Board (Mr. Gathorne Hardy.) If the right hon. Gentleman could take a lease of the office for a number of years, or for life, he, for one, should not object to the powers conferred by the Bill. But when it was considered what in a few months the Poor Law Board was likely to become, he thought it would be seen that, in all probability, the House had conferred upon it too much absolute authority. It ought not to be forgotten that the Poor Law Board had in its past career interposed the obstructions of routine, and in dealing with the poor had passed by the mountains whilst they had stumbled against the molehills. At all events, he hoped that the power delegated to the Poor Law Board of nominating one-third of the guardians would not be extended to other districts.

MR. ALDERMAN LUSK said, he was in favour of local self-government. The House ought not to distrust the local authorities, who, after all, were our own flesh and blood. The Bill unfairly reflected upon them.

MR. GATHORNE HARDY: There is nothing, Sir, in this Bill to abolish local self-government. Indeed, under its provisions local government will have the fullest scope for its exertions. With regard to what has been said by the hon. and learned Member for the Tower Hamlets (Mr. Ayrton), I must confess that I am deeply indebted to him for the support which he has given to this measure. As to compensation, however, there is a difference between the case to which he has adverted and that which will arise under this Bill. In this case there has been no patronage conferred on the Poor Law Board, with the exception of the single office of Receiver. The patronage, whatever it is, remains with the local governors of the metropolis. All the Poor Law Board will have to do is to see that persons do not claim unnecessary or unreasonable compensation. The whole system of compensation was placed on the footing of the Bill purposely, because new arrangements will have to be made, and any officer having a certain district which is altered in any respect may refuse to continue in it, and he must, of course, take his chance with the rest, the Board, as an impartial body, looking to every case on its merits, and taking care that no injustice is done to him. With respect to the Central Board, adverted to by the hon. Member for Westminster (Mr. Stuart Mill), it seems to me that in the course of the next year or year and a half that must elapse, before any of these buildings can be completed or brought into operation, we shall see the working of the Act, and whether those whose work it is do their duty, and carry out the intentions of the House. If in the course of that time it should appear that new powers are wanted, even in the next Session of Parliament, there will be abundance of time to get those additional powers, if they be needed. The hon. Member for Norfolk (Mr. Read) was good enough to say that the Bill had been passed owing to popularity on my part. I should be sorry to think that it was. I believe that the Bill owes its popularity to the fact of the great grievances which were suffered by the poor, the great injustice which was done to the ratepayers in expending money in other objects than those intended, and the injustice which was done to the public, which was obliged to look on powerlessly and hopelessly while such evils existed. This is an attempt on my part to make a beginning to redress those evils. I am far from thinking that the measure is perfect in itself. It is a sketch which may hereafter be filled up. Whoever may succeed me, or however long I may remain in my present office, it is clear that the House has taken up the subject with reality and earnestness, and will not admit of any weak or faltering policy. For myself, I should not hesitate, on whatever side I may sit, to appeal to the House—by the whole body of which I gratefully feel that I have been supported on this occasion in carrying the Bill—to grant any new powers that may be required, in order that the sick and imbecile poor may have justice done to them, and that the money of the ratepayers may be duly expended.

Mr. Alderman LAWRENCE said, he considered this the most important measure respecting the management of the poor which had been passed since the new Poor Law. It had several great principles —to insure a better system of relief to the sick and aged poor, to make better provision in schools for the children of the poor; and, at the same time, to spread the expenses of that relief more equally on a different basis and over a larger area of the metropolis. He hoped this latter principle would be carried still further. The Union Assessment Act was a step in the right direction, this Bill was another step, but it must be carried out still further, so that the whole metropolis might be placed on one uniform and equal basis. He hoped this measure would not long be confined to the metropolis; it would have to be carried out in the different counties. Although there had been negligence in some parts, yet, taking the metropolis as a whole, the poor had been properly cared for, and the large body of guardians had done their duty without fee or reward. But with respect to the Poor Law Board, looking to its defective constitution, and the manner in which it had conducted the Department, it was well known that it was solely owing to the philanthropic exertions of a few public-spirited men—the most distinguished of whom was the late Mr. Walter—that, after a long course of agitation, they had succeeded in modifying the harsher features of the new Poor Law. Those who had the management of the Board had no right to take to themselves the credit of looking after the interests of the poor, while the guardians denied the poor their rights. Since its first formation down to the present time the Board had been restricting the guardians, remonstrating with them for spending so much money, and never urging them to spend more to provide better for the wants of the poor. It was only in later times that agitation from without had acted on the Poor Law Board, inducing them to take a more humane view of affairs. He denied that the Board had always been the protectors of the poor. He looked forward to the time when one-half the charge for the maintenance of the poor would be put on the Consolidated Fund. He thanked the right hon. Gentleman (Mr. Gathorne Hardy) for this Bill, which would be useful to the metropolis as a whole, and which he hoped was the first step towards spreading the taxation for the poor over the whole country. He believed that the present Bill would effect much good; but he looked forward to the time when the money required for the relief of the poor would be raised not merely on house property and land, but from all who had the means to contribute, whether they possessed this description of property or not.

Motion *agreed to.*

Bill read the third time, and *passed.*

LYON KING OF ARMS (SCOTLAND) BILL.

(*Sir Graham Montgomery, Mr. Secretary Walpole, Mr. Hunt.*)

[BILL 44.] SECOND READING.

Order for Second Reading read.

SIR GRAHAM MONTGOMERY moved the second reading of this Bill. He said that, under its provisions, the office of the Lyon King of Arms would be self-supporting. The Lyon King would have an allowance not exceeding £600 a year, and would be required to do his duty without a deputy. The Lyon Clerk also would discharge his duties in person; and a reduction would be made in the staff.

Motion *agreed to.*

Bill read a second time.

GRAND JURIES (IRELAND) BILL.

LEAVE. FIRST READING.

MR. PEEL DAWSON moved for leave to bring in a Bill to amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland. He said, the object of the Bill was for the purpose of electing instead of nominating the associated cesspayers who acted with the magistrates at sessions, and for the purpose of preventing their numbers being swamped. Also for the appointment of a standing committee by the grand jury from assize to assize, in order to have a more efficient control over the county officers, and to afford a better opportunity of examining into the state of the county business before submitting it to the grand jury at the ensuing assizes. He had shown a draft of the Bill to the noble Lord the Chief Secretary for Ireland (Lord Naas), who had no objection to its introduction.

Motion *agreed to.*

Bill "to amend the Laws relating to the Presentment of Public Money by Grand Juries in Ireland," *presented,* and read the first time. [Bill 73.]

BANKRUPTCY BILL.

LEAVE. FIRST READING.

THE ATTORNEY GENERAL: I rise, Sir, to move for leave to bring in a Bill to consolidate and amend the Acts relating to Bankruptcy in England. The laws relating to debtor and creditor are so important and so varied in character, and their details are so numerous, that to go into a full examination of the subject would require a very lengthened statement. But I am satisfied that the full discussion which this subject has received within the last few years, the evidence taken before the Select Committee of 1864, the Report of that Committee in 1865, and the Bill brought in by my hon. and learned Friend the Member for Richmond (Sir Roundell Palmer) last year, have all made the House so familiar with the question that on the present occasion, and until the Bill is in the hands of Members, I may compress what I have to say into a narrow compass. Indeed, I think I might have followed the example of the hon. and learned Member for Richmond, and laid the Bill on the table, deferring any statement till the second reading; but as the public mind has been so much directed to this matter, it may, perhaps, be as well that I should at once state the leading provisions of the measure. The principle of the bankrupt code is very simple. It is the just distribution of the assets of the insolvent debtor among his creditors. Whatever tends directly to that end ought to form part of the code; but whatever tends only indirectly to it should not form part of the code. There are many parts of the law of debtor and creditor which tend only indirectly to that end. Therefore, though I intend to ask for leave to introduce a Bill to abolish imprisonment for debt, I do not propose that such a provision should form part of the measure which I am now about to bring under the notice of the House. It is unnecessary to go back through three centuries of early legislation on the subject of bankruptcy. It may be sufficient to say, with reference to that legislation, that sometimes it was harsh and unjust to the debtor, and that sometimes it was unjust to the creditor; but after various fluctuations a more fixed character was given to it some thirty years ago. Before Lord Brougham's Act of 1831, in every fresh case of bankruptcy a new tribunal had to be constituted to administer the affairs of the bankrupt. The property was collected and distributed by the creditor's assignee, under the supervision of the Court of Bankruptcy, and the bankrupt's discharge was obtained upon the certificate of the Commissioners of Bankruptcy, on the consent in writing of a certain number of creditors being obtained. Of course, there were other provisions with reference to Acts of bankruptcy with which the House is familiar, and upon which I do not propose to dwell. The complaints that were made of this state of the law were of the following description. It was said that the constitution by commission under the Great Seal of a new tribunal every time a person became bankrupt was very clumsy and expensive, and I do not see how it was possible it could be otherwise; that the administration of the estate by assignees chosen by the creditors was found not to work well; that the estate was too much under the supervision of the court; that the assignees were not paid for the work they performed; that the only way to obtain payment for such work was to appoint a paid accountant; that when the estate got into the hands of professional men it was badly managed, and was eaten up by costs. Then, with regard to the certificate of discharge, it was alleged that it was most unfair to the bankrupt, inasmuch as he had to follow his creditors about in order to obtain their signatures, and that it was liable to abuse, and led to buying the consent of the creditors. In 1831 Lord Brougham introduced a measure, the material points of which were that it constituted a new tribunal, consisting of four Judges, six London Commissioners, assisted by registrars and official assignees in London, who were to collect and distribute the assets, the duties of the creditors' assignees, who were retained, being merely nominal. This Act established no local courts, although under it fiats were to issue to country Commissioners. The system introduced by that Act was as loudly complained of as the one it had superseded. There was an over-supply of official force in London, and there was no sufficient supply of official force in the country. Between the years 1831 and 1849 no less than three Acts were passed, with the provisions of which I will not trouble the House further than to state that they abolished the Court of Review and the functions of the four Judges created in 1831, the duties being performed by the Commissioners; that they appointed district Commissioners with district jurisdiction—the appeal from both the London and the district Commissioners being to a Vice Chancellor sitting in the Court of Chancery; and that they appointed official assignees for the country as well as for London. During the interval an attempt was also made to alter the mode of effecting the bankrupt's discharge. Up to that time his discharge had been effected by consent of creditors in writing, and the modification introduced was that the certificate was to be obtained at a public meeting of the creditors, when they had an opportunity of giving their consent verbally, or of making objections to the granting of the certificates, which were weighed by the Commissioners, who granted or withheld the certificate according to the conduct of the bankrupt. Power was also given to the debtor to institute proceedings in bankruptcy against himself. What I have stated will show that there have been considerable fluctuations of opinion during the last thirty years upon the points under consideration. Up to the time I have mentioned no satisfactory provisions were in existence under which the creditors could arrange with their debtors, so that the majority could bind the minority. Since that period this question has been looked upon as a matter of great importance. The point was originally mooted by the merchants and bankers of London in 1848 presenting a memorial to the Lord Chancellor and the Attorney General, asking for some provision to be introduced into the law which would enable the majority of the creditors to bind the minority in any arrangement which they might come to among themselves. The memorial proposed that the requisite majority should be either six-sevenths of both value and number, or nine-tenths of either number or value. I wish particularly to call the attention of the House to the number of the majority suggested in that memorial, because ever since that period there has been a continual tendency to reduce the proportion of the majority. Following upon that memorial came the Consolidation Act of 1849, which introduced, I think, for the first time carefully considered provisions for enabling creditors to arrange with their debtors and for enabling the majority of creditors to bind the minority. The arrangement clauses were of three sorts—the first enabling an arrangement to be come to before bankruptcy, but under the control of the Court, a proportion of three-fifths being sufficient to bind the minority; the second enabling the creditors of an estate in bankruptcy to take it out of the Court of Bankruptcy by a resolution of nine-tenths of the creditors; and the third enabled the matter to be settled by deed apart from the Court if six-sevenths in number and value of the creditors could agree to such an alternative. The Act reduced the number of Commissioners from six to four. Some special provisions were introduced of a very stringent character to meet offences against the bankrupt laws, and for different kinds of offences imprisonment for life, or for periods of seven years, three years, or one year, was enacted. The discharge was also made more difficult, and certain specific offences, such as gambling and keeping false books, were heavily visited. Then there was a Royal Commission issued shortly afterwards, over which my right hon. Friend the Secretary for the Home Department (Mr. Walpole) presided, containing gentlemen of great eminence in the legal profession and in the mercantile world, and they turned their attention especially to the arrangement clauses, and made their Report in 1854. They pointed out that the business of the Bankruptcy Court had fallen off; they referred to the complaints made of the facilities with which traders were enabled to deceive their creditors; and with respect to arrangements by deed, they showed that, as the law then stood, great facilities were given to the debtor to get up fictitious debts in order to secure an apparent majority of consenting creditors. The Commissioners also pointed out that the stringent character of the penal clauses of the Act of 1849 was very objectionable. So much, then, for what took place in 1854. It would be unpardonable in me if I passed over the attempt at legislation upon this subject made by Lord Derby's Administration in 1859. A Bill was then brought in by the present Lord Chancellor founded, to a great extent, on the Report of the Commissioners of 1854. The Bill was read a second time, and the provisions of that Bill formed the basis of most of the legislation that has since been proposed on this subject. If that Bill had been followed more closely, I should probably not have been troubling the House to-night. That Bill proposed the abolition of imprisonment for debt ; it provided a complete scheme of arrangement between debtors and creditors, and power was given to the creditors to dispense with official assignees, and to take the estate into their own hands. That Bill, however, did not come down to this House. Then I come to the measure introduced by Lord Westbury in 1861. It is right to state that that Bill did not pass entirely as it was brought in by Lord Westbury ; he did not carry all the provisions he desired, and therefore he is not to be regarded as responsible for every part of that measure. The first part of the measure related to the abolition of the Insolvent Court, and provided for the abolition of the difference between the trader and the non-trader, thus enabling the non-trader to take advantage of the bankrupt laws. Then, jurisdiction was given to the County Courts, in practice found to be a most important improvement; and the provisions for arrangements between debtor and creditor were advantageously modified. There were three classes of provisions—the first enabled the creditors to take the estate out of bankruptcy ; the second constituted a change of the whole affair from bankruptcy to an arrangement with the creditor ; and the third enabled an arrangement by deed to be come to without bankruptcy, and provision was made by which a proportion of creditors, representing three - fourths in value, were able to bind absolutely the whole of the creditors. The Act, however, has been found to work disadvantageously to dissenting creditors, the powers conferred on whom are insufficient. The difficulties have been these :—There was no sufficient opportunity for dissenting creditors to challenge the deed; secured creditors, notwithstanding their security, ranked equally with the rest in their claims on other portions of the property; and thirdly, there were no means of making the deed binding and conclusive in the Court of Bankruptcy, so as to prevent future litigation as to the validity of the deed. These three defects deprived the arrangements contemplated and sanctioned by that Act of much of their practical value. Discretionary power is also, by the Act of 1861, given under certain circumstances to suspend the certificate for a time, and power is given to subject the bankrupt to imprisonment. Power is also given to make orders touching the application of the bankrupt's future property for the purpose of payment of his debts. It is necessary also to refer to the state of things which existed previous to 1861 as to the future property of insolvents. Up to that time the Insolvent Court had dealt with non-traders; and on the surrender of all his property the insolvent was discharged from his debts, subject to this, that machinery was introduced which gave power to get at his future property. In practice what was done was this—that one-third of the property acquired by the insolvent either by gift, inheritance, or devolution, exclusive of his actual earnings, was as a general rule appropriated by the Commissioners for the payment of his past debts. I think that that provision was a very beneficial one. The Act of 1861 has now been tried for several years, and an opinion can be usefully pronounced upon it. The main objection made to it has been that it allowed too great an interference on the part of the court, and thereby prevented the creditors from managing the estate themselves, which it was said they would do with greater economy. It was accordingly recommended by a Committee over which the hon. Member for Southampton presided, and which carefully investigated the subject, that the creditors should be allowed to appoint a trustee of their own choice — that the particular estate in question should be handed over to them—that inspectors should be appointed from their own body, and it was considered by the Committee that under such arrangements the estate would be well and cheaply administered. I propose in this Bill unreservedly to adopt that part of the recommendations of the Committee in the fullest and amplest manner. There is an objection raised to this arrangement, founded upon the assertion that the creditors are often so supine that they cannot be got to attend to their own interests or to appoint a trustee. But that is no answer to such a proposition in cases where creditors are willing to appoint their own trustees. At the same time, no doubt in many cases creditors may be found too supine to act for their own interests, and in such cases it would be wrong to leave the estates of bankrupts, as it were derelict because the creditors will not appoint trustees. In respect to the number of cases in which the creditors have not appointed assignees, speaking of London alone, the total number of London adjudications in 1866 was 2,955, of which 1,673 were cases in which the creditors did not choose assignees. Those estates were, no doubt, very small, generally speaking, a large number of them being only from £200 to £300. Nevertheless, some provision ought to be made for such cases. I think, also, that in only about 56 per cent of the country cases have the creditors appointed assignees. I do not propose to create any new office for this purpose, or indeed to create a new office of any kind under the Bill. There will be a necessity for one or perhaps two provisional trustees, in regard to cases in which the creditors will not take the trouble to act for themselves, in whom, also, the property of all insolvents will be vested between the time of adjudication of bankruptcy and the appointment of a trustee. The registrars of the County Courts will perform the functions of the provisional trustees in their several districts, and one will probably suffice in the metropolis for all purposes of a provisional character. By a separate Bill I propose to abolish imprisonment for debt, except in cases of gross fraud and outrage. I propose as a consequence of this to extend the operation of the Small Debts Act from £20 to £50. I apprehend that the abolition of imprisonment for debt will greatly reduce the number of bankruptcies, inasmuch as there are at present a large number of cases in which there are no estates where men become bankrupts merely to escape imprisonment or to get out of prison. By placing the estate in the hands of trustees to be chosen by the creditors, the business of the Bankruptcy Court will be considerably diminished. The debts will be proved before the trustees, who will arrange the dividend: in cases of disputed debt only a question would arise for the interposition of the Judge or Commissioner. Indeed, the business of the Court will be reduced to these main points—namely, that of adjudication, or of determining whether the insolvent has brought himself within the operation of the bankrupt law; the examination of the bankrupt; the admission to proof of disputed debts; the question of the bankrupt's discharge, and the determination of questions arising under arrangement deeds. There must be opportunity given to creditors to challenge those deeds if they should be so disposed, and therefore the matter must be examined before a competent tribunal. That being the amount and character of the business to be done, the next question is, what is the best tribunal for the settlement of these questions? It does appear to me that the business to be disposed of will require to be done in local courts spread throughout the country. It appears to me that the business of this kind—subject, of course, to appeal—may be well done by the County Courts in London and the country. It may be quite right also to have Commissioners or Judges in London. I see, however, no reason why the County Courts in the metropolis may not have jurisdiction; and I think it desirable that one or more Commissioners in London should have jurisdiction over the whole of England. Their functions will be the same as the Judges of the county courts in bankruptcy. The system will then be as analogous as possible to that of Scotland, where sequestration can be taken out in the Sheriff's

Courts all over the country, limited to their respective jurisdictions, and also in the Court of Session for the whole of Scotland. It is desirable that there should be one settled and complete system of local courts. I believe the County Courts are sufficient for all local purposes. There will be no new appointment of district Commissioners. There should not be district courts especially for settling questions between debtor and creditor, district courts for bankruptcy, and district courts for the Admiralty, but there should be one good set of local courts, and if the County Courts are not sufficient for the purpose, they should be made so. I do not propose, therefore, any new appointment of district Commissioners, although it will be convenient to continue existing Commissioners. The whole business of the Bankruptcy Courts will under this Bill be done by local courts, and the Judges in London will act in bankruptcy in the same way as County Court Judges, but their jurisdiction will extend over the whole of England. This departs to some extent from the system proposed by the Committee of 1865, which recommended—

> "That there should be established a Court of Bankruptcy in the metropolis, and the Judges of the Superior Courts of Equity and Common Law should sit as Judges in that court. That there should be an appeal to the Court of Bankruptcy from all orders of a County Court, or of a single Judge in the metropolis, relating to matters above the value of £20, and from all other orders when the court or Judge shall allow a special case for appeal."

I am at a loss to conceive how that could be carried into effect. A court composed of Judges of law and equity to sit in bankruptcy would disturb the business of all the courts in the kingdom, and there would be great difficulty in getting the Judges together for this purpose. I am at a loss, also, to conceive what we want with a Court of Bankruptcy in London thus constituted, or, indeed, any court apart from the London Commissioners or Judges, with an appeal to a competent court. The Commissioners or Judges in London would have the whole jurisdiction in bankruptcy, extending over the whole of England, in which they would find important, and I believe ample judicial labour, and which they would ably discharge. I believe, as it now stands, you have the most satisfactory appellate court that could be made, the appeal to the Court of Chancery. I admit that that court is overworked; but I am not proposing to throw additional work upon that court. The appeals in bankruptcy now occupy, it may be, one day a week, and the House would surely not constitute a new court to do business that would only occupy one day a week, and I think that we should leave the Court of Appeal as it now stands. Of course, there is a great change going on in reference to winding-up public companies, and this creates business so vast, that if it continues it may be necessary to constitute some new tribunal. But at present, in considering the nature and character of the business to be transacted, I think that a great portion of business will be taken off the hands of the Court of Bankruptcy by the whole estate being put into the hands of the creditors. Another great part of the business is to be transacted by the registrars, and what remains afterwards will be most satisfactorily discharged by the County Court Judges with Commissioners or Judges in London, who will, however, have a jurisdiction over the whole of England. There is another point of considerable importance. In one of the recent Acts, power is given to the debtor to make himself bankrupt at his own option. At first it was done without any condition, afterwards upon the condition that the bankrupt should show 5*s.* in the pound. Last year it was proposed to take away the power of voluntary bankruptcy altogether. No doubt the voluntary power was open to abuse, but it was extremely useful in some cases. It will sometimes happen to the honest debtor that to distribute his property fairly he should have the power to prevent any one creditor from having execution against the whole of his property, and I think that this may be done in some such mode as this. Let the debtor petition the Court of Bankruptcy, and upon his petition let his property be protected from execution, and then let the creditors be called together and determine whether he shall be allowed to make himself a bankrupt or not. Then as to those arrangement clauses, which now enable the creditors to take the estate out of bankruptcy, leaving the debtor subject to the bankruptcy law, and the other clauses which take the whole affair out of bankruptcy. These work very well, and I do not propose to alter them. As to the arrangement clauses for preventing the affair going into bankruptcy at all, I have given great attention to this part of the subject, and I hope that part of the law may be considerably improved. If you take the estate out of the debtor and vest it in a provisional trustee, the moment he proposes to arrange with his creditors, he will not come to any such arrangement. His object is to continue his business, and if you take his estate out of him, and also say that no one shall be deemed a creditor until he proves his debt before the court, it would interpose such difficulty that there would be no arrangements at all. On the other hand, there is difficulty in allowing the debtor to make out his own list of creditors, for by so doing he is enabled to commit gross frauds on his *bonâ fide* creditors. Of course the object is to find some middle course, and what I propose is to this effect: that the debtor shall file a deed within a given number of days, after its execution, six or seven days, in the court having jurisdiction over him in the matter of bankruptcy, and that at the same time that he should file with that deed a list of his debts, and an account of his property, and that the fact of filing shall forthwith be gazetted. The deed is to be deemed completely executed when it is assented to by a majority in number and three-fourths in value of the creditors. Of course, it will be for the House to consider whether this shall be the proportion; but if provision is offered for the creditors satisfying themselves as to the fairness of the arrangement, I think that three-fourths in value will be sufficient. Creditors who are secured must deduct their securities from their debts before they are comprised in the list of consenting creditors. Such a deed when executed can now be challenged in any court in the kingdom; but I propose to remedy that by providing that the Court of Bankruptcy shall within three months declare whether it is or is not completely executed, and whether it is or is not a valid deed. There will be every opportunity of challenging the deed if there be anything wrong in it within the period of three months; but it must be challenged in the court where it is filed, and the numerous actions arising in the other courts upon such deeds will thus be put an end to. This, I think, will remove all the objections that now exist to these arrangements by deed; and, if so, I think that we shall have gone a long way in accomplishing an object admitted on all hands to be desirable. Then, as to the discharge of the bankrupt. Here I admit that there is very great difficulty. The old system looks, at first sight, very plausible; that the bankrupt should be discharged if the Commissioner sees no reason to say that he had not conformed to the law, provided that his creditors assented. But it is impossible to go back to that; it has been, as I have said, found very vague and unsatisfactory, and it is equally difficult to define the particular offences for which certificates should be refused. It is, no doubt, quite right to say that if a bankrupt has got into debt fraudulently he should not have his certificate; but beyond that I find it very difficult to say upon what special grounds the certificate should be refused. The Committee of 1865 recommended that wherever a bankrupt had made a full disclosure and surrender of all his property, and paid 6*s*. 8*d*. in the pound to his creditors, he should be free from all claims capable of proof in bankruptcy; and in all other cases where there was a full disclosure and surrender he should be free from all such claims after the expiration of six years from the adjudication. I have had very many objections made to me as to this proposed mode of granting these discharges. A man, it is said, is getting into difficulties, he finds he can pay 4*s*. or 5*s*. in the pound, he has credit, and he sees that if he can get some £300 or £400 worth of goods more, or, if he be in a larger way of business, some £3,000 or £4,000 worth, he will be able to pay 6*s*. 8*d*. in the pound. Now, gentlemen of experience assure me that a man in this position will very commonly resort to the practice of contracting further debts of this kind. And now the question is what are we to do? If he does not pay 6*s*. 8*d*. in the pound he has to wait six years. I know of no way of safely making the payment of 6*s*. 8*d*. in the pound a condition of obtaining the certificate, unless to say that in no case shall he have his certificate for less than twelve months, and not then unless he pays 6*s*. 8*d*. But this would not be satisfactory, nor is it satisfactory, to say that, as a matter of course, merely because he conforms to the bankruptcy law, he shall be entitled at once to his discharge. I think there is no alternative but to resort to the principle of the Insolvent Debtors' Act—that is, to make his future property liable at the discretion of the Court to his past debts, and let him have his discharge at once. I would not leave the discharge to the discretion of the Judge, except in cases of direct violation of the Bankruptcy Act; in all other cases I would say, "Unless you pay 10*s.* in the pound your future property shall be liable, subject to the payment, in the first place, of your future debts, until you make up a dividend of 10*s.* in the pound," or such other sum as may be thought proper. If the matter were new, if we had not proceeded on a contrary principle of legislation for three or four centuries, I think we might have gone farther than that. The basis of all legislation on the subject of debtor and creditor should be to insure the performance of the contract. In all such legislation the remedy should be cognate with the contract, but it is not so if you propose to imprison the debtor. He has contracted to pay money for money's worth; to imprison him does not necessarily tend to the performance of that contract; to provide that if at any time he has the means of paying he shall pay, does tend directly to insure its performance; and if I do not propose to make him do so to the full, it is because we have legislated on a contrary principle for so long a time. These are the principal outlines of the Bill. The subject is a very large one, and grows under one's hand, the details are so numerous. My hon. and learned Friend the Member for Richmond (Sir Roundell Palmer), whose absence to-night I very much regret, has placed at my disposal all the communications he has received and all his papers upon the subject, and, of course, I have derived great assistance from them. At the same time, there are one or two points on which I have not followed his Bill, especially with regard to the discharge of the bankrupt. I have also had the example of what is done in Scotland. I have had every facility that any one could have in framing my Bill, and it is my fault if it be not a good one. Of course, there are a great many difficulties in the subject—in point of detail, it is extremely hard to realize everything that is desirable; but when hon. Members have the Bill in their hands, as I hope they will in a very short time, I trust it will be found a satisfactory basis for legislation of a permanent character, and not merely one of a series of attempts at legislation, destined in its turn to be shortly swept away by some new measure. Sir, I beg to move for leave to bring in the Bill.

Motion made, and Question proposed,

"That leave be given to bring in a Bill to consolidate and amend the Acts relating to Bankruptcy in England."

MR. GOSCHEN said, that having been a Member of the Select Committee of 1865, and as representing a commercial community, he wished to say that he had listened to the able statement of the hon. and learned Gentleman with a great deal of pleasure. Without being as yet able to judge of the Bill as a whole, he thought that the commercial world would be satisfied with many of the proposals contained in it. The questions connected with bankruptcy fell under two heads—questions of principle and questions of administration. The former related to all matters connected with the discharge and punishment of the debtor, and to such matters as whether a majority of creditors should bind a minority and so on. The question of administration was a subordinate one, which had reference chiefly to the mode in which the assets should be collected and distributed, and to the best kind of tribunal for that purpose. The hon. and learned Gentleman had truly said that the chief element in a bankruptcy law was a just distribution of the assets; but he thought it would be admitted that at the bottom of the whole system was the question of discharge and the future liability of the property of the bankrupt. The hon. and learned Gentleman had stated that he had abandoned the recommendation of the Select Committee of 1858; that the discharge of the bankrupt should only be granted after a payment of a dividend of 6*s.* 8*d.* in the pound; and that the bankrupt should remain without his discharge for a period of six years, if the dividend did not reach that figure. He was glad that the hon. and learned Gentleman had abandoned those suggestions. Great difficulties surrounded them, and he did not think that they had met with the favour of the commercial world. He was aware of the objection alluded to by the hon. and learned Gentleman, of the debtor going on, after he was practically insolvent, in the hope of reaching a 6*s.* 8*d.* dividend, but that was not the chief objection to the system. The idea of the Committee was, that unless it was made to be the interest of the debtor to pay a certain dividend he would go on trading to the last, and would by so doing swallow up all his assets. It was that consideration that induced the Committee to recommend that his discharge should have relation to a dividend of 6*s.* 8*d.* But very often the value of a trader's assets underwent violent fluctuations, from causes beyond his control, and was lessened thereby much more than it would be by a long course of injudicious trading. A crisis like that of last year might render the assets unequal to the payment of a dividend of 6*s.* 8*d.*, and that from no fault of the bankrupt, as the blame might be much less than in cases occurring at ordinary times yielding 15*s.* That criterion, therefore, could not be considered a safe one, though it was difficult to find a better. With regard to the question of the liability of the future property of the debtor, he agreed with the Attorney General that, on public grounds, it would be unadvisable to impede the future progress of a man who had become bankrupt by making him, at all periods of his life, subject to the claims of his original creditors. At the same time, great scandal was unquestionably occasioned when it happened that a man rose to great wealth, and yet failed to pay his creditors a single halfpenny of what he owed them under a previous bankruptcy. Under the Insolvent Debtors' Act the money that a man, under such circumstances, acquired, by bequest or inheritance, was made liable; that which he earned was exclusively his own—a distinction which seemed to him to be a reasonable and proper one. The plan sketched out by the Attorney General might contain the elements of a successful settlement of this question; but until the Bill was before the House it was impossible to express any definite opinion on the point. It was wise to place a bankrupt not at the discretion of individual creditors, but at that of the court, and to make only a portion of his future property liable for his former debts. He was glad that the hon. and learned Gentleman had adopted the plan of placing the administration of the assets of a bankrupt in the hands of the creditors as far as possible; and he was glad also that he proposed to remove the punishment of the debtors, in cases where punishment was due, altogether from the Bankruptcy Law, because at present it frequently happened that the creditors who desired to punish a fraudulent debtor could only do it by wasting a portion of their assets in the prosecution of him. He would also say, in reference to another topic touched upon by the hon. and learned Gentleman, that there was a strong feeling among the mercantile classes in favour of the appointment of a Judge of the same rank and standing as the other Judges of the land, who should make these cases—like Admiralty and Divorce cases were—his exclusive department. He did not consider the Court of Chancery a satisfactory Court of Appeal for cases of mercantile bankruptcy; and he thought that the whole question of the tribunal would have to be carefully considered by the House in Committee on the Bill. With regard to the deeds of inspection and assignment, he could not but express the opinion that the system of winding-up under inspection had been a fertile source of every description of fraud, and that it generally meant only a winding-up under a friendly accountant or a friendly solicitor. It would be better, he thought, so to deal with the Court of Bankruptcy as to attract the estates of bankrupts to that court, rather than to encourage the making of deeds of inspection and assignment. As he had said, the creditors were, in his opinion, much better able to collect the assets than anybody else could be; but it was doubtful whether they were equally capable of distributing them equitably under deeds of inspection and assignment, and it might be well that the court should be held, in some degree, *in terrorem* over them, to take care that the distribution was just. The hon. and learned Gentleman had not alluded to the question of expense; but if the machinery he proposed could be placed in the hands of the creditors, the great cost which now frightened people from having anything to do with the Court of Bankruptcy would, he hoped, be avoided. It was difficult to advance any opinion upon the Bill before it was in the hands of the House; but he thought that, while it would require important modifications in Committee, it contained many valuable suggestions, and many proposals which would be received with great satisfaction by the commercial world.

MR. MOFFATT said, he considered that the Bill would meet with great approval on the part of all interested in it; but he should have been glad if the hon. and learned Gentleman had acted more boldly on the sound principles contained in the latter part of his speech, and if he would explain more distinctly how he proposed to deal with the 600 gentlemen, or thereabouts, who made themselves bankrupts every year, who paid not a farthing in the pound, and always obtained their discharge. He should also be glad to be informed what was for the future to constitute an act of bankruptcy—whether it was to be involved in the present difficulties that surrounded it, or to consist of some simple act about which no doubt could exist. There were 8,100 bankrupts last year. Of these 170 had paid 10*s.* and upwards in the pound; 600 paid nothing at all. As a rule it might be said that when a trader was only able to pay 2*s.* in the pound he must have known for some time that his affairs had not been in a solvent state. When a man became unfortunate the most advantageous method for himself and his creditors was to settle his affairs by a composition deed, for he could better manage his estate for himself and his creditors than any one could do it for him. Of 1,210 compositions 127 paid more than 10*s.* That showed that the method of composition was the most satisfactory settlement for the creditor. The bankruptcy laws afforded facilities for every kind of fraud, for if the creditors would not accept a composition the man could at once take the benefit of the Act. He believed the present Bill would to some degree obviate the evils of the present system; but he could not entertain the hope that it would effect any material improvement. He hoped the hon. and learned Gentleman would give the matter further consideration, and that some modifications of its provisions would be introduced in Committee.

MR. AYRTON said, he thought that two or three Resolutions which he submitted to the Committee upstairs had not received from the Attorney General the justice to which they were entitled. One was a proposition that imprisonment for debt should be abolished, instead of which the Attorney General was going to aggravate imprisonment for debt and make it more unjust to numerically the larger portion of Her Majesty's subjects, who had not the advantage of getting into debt to the extent of £20. At present the humbler classes were brought before local courts, were ordered to pay money, and in default were imprisoned again and again, so that in some cases they were kept in prison for two years, while those who owed debts above £20 were waited upon by an officer of the court and invited to go out of prison. The Attorney General now proposed to enlarge the power of imprisonment for debts to £50. He hoped the House would put the poorer classes of society on the same footing as the richer who incurred debts to a larger amount. The next point in the Resolutions of the Committee was, as to what constituted an act of bankruptcy, and the Committee recommended that it should be so simple that it could not become the subject of litigation. They intended bankruptcy to be a substitution for imprisonment for debt—that it should be a formal sort of proceeding, a mere record of the fact—having the effect of transferring the man's property to his creditors. The principle involved in that Resolution was that the legal settlement was to be formal, and that the substantial element was to be commercial, so that the administration of the bankrupt's estate would be the carrying on or winding-up of the business in the ordinary way. The Committee thought that the creditors were the best persons to look after the property. With regard to the Attorney General's method of dealing with the bankrupt, it was the only one that could be adopted—namely, that all his future acquired property should be made available to discharge the debts contracted under the bankruptcy. When the Act of 1860 was under discussion he himself succeeded in introducing into it a provision making the future acquired property of traders, under certain conditions, liable for their past debts; but he believed that in the Bankruptcy Court that provision had hardly ever been put in force. He was glad that the Attorney General had now adopted that principle; but he would ask him whether there was to be no limit of time fixed as to its operation, or whether it was to apply during the whole of the bankrupt's life? If there were no limit it would not be satisfactory. The Select Committee which sat on that subject having determined that the administration of bankruptcies should be a very simple matter, scarcely ever requiring the intervention of the judicial mind, they suggested that the County Courts should have a bankruptcy jurisdiction, but that there should be one court in London with that jurisdiction, though without a Judge specially appointed for it. In that one court the ordinary business of bankruptcies in the metropolis might be transacted; and the aid of the Judges of the land might easily be called in — as was the case in the Central Criminal Court — whenever any legal difficulty arose, or any matter about which there was contention by counsel. The Resolutions of the Committee were not so chimercial or impracticable as the Attorney General seemed to imagine. With regard to deeds of composition, they were very often a cover for fraud and a contrivance of lawyers and others for plundering the bankrupt's estate and cheating the creditors. If the Bill were properly framed those deeds would be rendered wholly unnecessary. The law ought to be extremely comprehensive, giving the greatest power to the creditors for regulating the mode of dealing with the assets, but not enabling them to discharge the debtor from liability to the creditor without the latter's consent—which he thought monstrous. He was glad that the Attorney General had taken up that subject, and believed that he would receive every assistance from that (the Opposition) side of the House in passing his measure in a satisfactory shape.

MR. FAWCETT said, he wished to express his sincere gratification at the attempt of the learned Attorney General to introduce a sound principle into the bankruptcy law of this country, by making the future acquired property of the bankrupt liable for his previous debts. That House would, he thought, be only performing one of its clearest duties by doing something to correct the lax commercial morality of the present age. He knew of nothing which would be likely to cast a greater gloom over our commercial prestige than if one were to go into our large towns, the centres of our industry, and make out a list of all the men living extravagantly who, having failed, had not had the honour or honesty to pay their past debts. The hon. and learned Gentleman, if he could introduce some amendment of the law calculated to alter that state of things, would in his opinion richly deserve the gratitude of his country.

MR. MONCREIFF said, he thought the measure which the Attorney General had submitted to the notice of the House was one which was likely to be productive of great advantage in dealing with a very difficult question. He wished, however, to observe that he had not heard the hon. and learned Gentleman make any allusion in the course of his statement to the taxation of the bills of costs of solicitors and assignees in bankruptcy. Unless that taxation was taken out of the hands of local officers and placed in the hands of officers entirely removed from local influences, the hon. and learned Gentleman's meritorious labours would fail to produce their due effect. He suggested the appointment of an accountant in bankruptcy. It had worked most successfully in the Scotch measure of 1856.

MR. ALDERMAN LUSK said, he thought that many of the clauses of the Bill would operate very usefully. Much scandal arose from the fact that so many persons became bankrupts and again set up immediately in business—living extravagantly and without the slightest wish apparently to pay their just debts. He knew thousands of instances in which that had been done, and he was of opinion that in all cases in which a man failed to pay what was justly and lawfully due from him, he should have some penalty imposed upon him, such as that he should not be permitted to enter into business afresh to repeat perhaps the same conduct. If that were done we should not have one quarter of the bankrupts we now had. The present position of the bankruptcy laws was a disgrace to the country. What they wanted was an administration of the law which would be easy, cheap, and speedy; and no doubt the Bill would tend to that end.

MR. VANCE said, he thought the Attorney General had done rightly in departing from some of the Resolutions of the Committee. He approved of the Bill. Much had been said about the facilities offered for, and the frauds which had been committed under, deeds of composition and deeds of assignment. Those frauds, he believed, had been chiefly occasioned by the departure, in 1862, from the principle enacted in 1859, that all those deeds should come under the supervision of the Court of Bankruptcy, and that the court should determine in every case whether it was a proper case for composition. At present those deeds never went before any court, and there was no tribunal to which a creditor could go to prevent a bankrupt from entering into a composition to defraud creditors of their just rights. He approved of the suggestion for having a special court of jurisdiction in London for bankrupts, and he thought the appeal cases could go very well as they did at present—to the Lords Justices.

MR. NORWOOD said, that the objection to utilizing the local County Courts, which was alleged to exist in London, did not prevail in the provinces, which would be glad to obtain through them a ready and cheap access to justice. Their jurisdiction might be extended, if the Judges were adequately remunerated, and that extension would relieve the Superior Courts of much business. Three months was too long to allow a deed to remain open, and it might be closed in one or two months upon due notice being given. The winding-up of the estates of deceased insolvents had not been mentioned. He hoped it had not been lost sight of.

THE ATTORNEY GENERAL said, it was of unquestionable importance to encourage commerce, but it was equally important to avoid encouraging rash speculation which proceeded upon the calculation, "If I succeed the profit is mine; if I fail the loss is my creditors." The question of what acts constitute a bankruptcy was not referred to at all in the Report of the Committee; but there were, of course, many tests of bankruptcy, such as a debtor's declaration of insolvency, a trader-debtor summons, and the failure to pay a debt or to give security. He did not admit that the Bill aggravated the law of imprisonment for debt; but he would not release a debtor from attachment made by a court of competent jurisdiction after due consideration of the circumstances of his indebtedness, for there were cases in which it would not be right to abolish imprisonment for debt. The expenses which had been referred to by his right hon. Friend the Member for Edinburgh could only be regulated by taxation; but the services of an accountant might be dispensed with. The estates of deceased insolvents were administered so cheaply, and, indeed, were so wholly a matter of administration in the Chambers of the Vice Chancellor, and so far removed from the jurisdiction of counsel and of courts, that he knew little about them, but he believed that new provisions were scarcely necessary. He would consider the remarks that had been made, and do all he could to give effect to the views of hon. Members.

Motion *agreed to.*

Bill *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. Secretary WALPOLE, and Mr. SOLICITOR GENERAL.

Bill *presented,* and read the first time. [Bill 74.]

MINES.

Select Committee on Mines to consist of seventeen Members:—Mr. BRUCE, Mr. LIDDELL, Mr. NEATE, Mr. GREENALL, Mr. FAWCETT, Sir PHILIP EGERTON, Mr. KINNAIRD, Mr. POWELL, Mr. AYRTON, General DUNNE, Mr. CLIVE, Mr. HUSSEY VIVIAN, Viscount CRANBOURNE, Mr. WOODS, Mr. WILLIAM ORME FOSTER, and Mr. BROMLEY:—Power to send for persons, papers, and records; Five to be the quorum.

JUDGMENT DEBTORS BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to abolish arrest on final process in civil actions in England, except in certain cases; and otherwise to amend the Law relating to Judgments, Decrees, and Orders, *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. Secretary WALPOLE, and Mr. SOLICITOR GENERAL.

Bill *presented,* and read the first time. [Bill 75.]

BANKRUPTCY ACTS REPEAL BILL.

On Motion of Mr. ATTORNEY GENERAL, Bill to repeal enactments relating to Bankruptcy in England, and to matters connected therewith, *ordered* to be brought in by Mr. ATTORNEY GENERAL, Mr. Secretary WALPOLE, and Mr. SOLICITOR GENERAL.

Bill *presented,* and read the first time. [Bill 76.]

House adjourned at a quarter before One o'clock.

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HOUSE OF LORDS,

Friday, March 15, 1867.

MINUTES.]—SELECT COMMITTEE—On Hypothec Amendment (Scotland) *nominated.*

PUBLIC BILLS—*First Reading*—Metropolitan Poor* (45.)

Second Reading—(£369,118 5*s.* 6*d.*) Consolidated Fund*; Shipping Local Dues* (41).

Committee—Traffic Regulation (Metropolis) (35 & 46).

TURKEY—TURKISH FORTRESSES IN SERVIA.

NOTICE OF MOTION WITHDRAWN.

THE EARL OF DERBY: Seeing the noble Earl (Earl Russell) in his place who has given notice of his intention to move for papers on the subject of the Turkish Fortresses in Servia, I have a communication to make which may, perhaps, induce him to think it unnecessary to bring on the subject. My Lords, I hold in my hand papers connected with the discussion which has taken place between Servia and the Porte, and which I am prepared, by Her Majesty's command, to lay upon the table. I have the satisfaction of announcing at the same time that an arrangement has been come to between the Porte and the Prince of Servia, which is perfectly satisfactory to both parties. The Porte has consented not to demolish or destroy the fortress of Belgrade, which is no longer necessary for the defence of the frontiers of Turkey; but which, nevertheless, is connected most closely with the most glorious memories of the Turkish Empire, and has a very strong hold on the feelings and affections of the Turkish subjects of the Porte. It has consented, moreover, to make over the fortress to the Government of the Prince of Servia. The fortress of Belgrade will be hereafter garrisoned exclusively by Servian troops, subject only to the condition that the Turkish flag flies over the fortress. That is the latest information contained in the despatches which I have to lay on the table. But I may add that the Turkish Ambassador has been good enough to furnish me with a telegram received from Constantinople, dated yesterday, stating with respect to these arrangements that they have been received with great enthusiasm in Servia. I think I may take this opportunity of saying also, with reference to a question connected with Turkish affairs in general, and the discussion brought on the other evening by the noble Duke opposite (the Duke of Argyll), that a despatch had been received at the Foreign Office to-day from Lord Lyons, dated the 6th of March, in which he says that he had a long and serious conversation with the Grand Vizier, Aali Pasha, upon the internal condition of the Empire, in which his Highness assured him that the Turkish Government were determined as soon as possible to introduce reforms, and that one of the main objects of these reforms would be to improve the condition of the Christian subjects of the Porte, to open to them a career in the public service, and to do away with those distinctions between the Christian and Mussulman subjects of the Porte which, though in a great measure abolished by law, are still practically kept up. The despatch also states that a Christian has been appointed Assistant Finance Minister and Governor of the Bank, and that this was the commencement of reforms in the selection of Christians for honourable posts in the public service. It was, moreover, intended to extend the system of uniting numerous Pashalics in large Provinces under one Governor General, and to provide for the future representation of Christians in these large districts. Although this despatch does not refer immediately to the affairs of Turkey, I thought that your Lordships would be glad to hear that the Porte is not indisposed to act on advice and friendly counsels, and to introduce, I hope faithfully and honestly, improvements in the condition of its Christian subjects.

Earl RUSSELL: As my only object was to elicit information, I certainly will not persevere in the Motion of which I have given notice, and am much gratified by the information the noble Earl has given the House as to the intentions of the Porte. I would call the noble Earl's attention to a telegram which is dated Vienna, March 14, and which says—

> "The Porte has consented to evacuate the Servian fortresses in consideration of the promises of the Great Powers that the sovereignty of Turkey over Servia shall be maintained."

Is that telegram correct?

The Earl of DERBY: I have not seen the telegram to which the noble Earl refers; but the understanding clearly is that the suzerainty of the Porte over Servia will still be maintained; but with regard to its internal affairs Servia will be practically independent.

PARLIAMENTARY REFORM.

PETITION PRESENTED.

Earl GREY said: I have given formal notice of my intention to present the Petition on Parliamentary Reform which I hold in my hand, because, while I do not in all particulars concur with the petitioners, their views are, I think, in general so sound, that I am anxious to recommend them to your Lordships' serious consideration. This petition, which is from certain electors of the town of Wolverhampton, after referring to the fact that the question of Reform is again under the consideration of Parliament, says—

> "That the alteration of the electoral law is the most important and difficult subject on which the attention of the Legislature can be engaged, since its results will give a direction for good or for evil to the conduct of public affairs in all future time. That in the proposals that have yet been made there appears to have been no distinct principle—nothing beyond concessions, more or less timorous, to the demand for change; nothing that could long be of service either in establishing a settled order of things, or in providing the rules by which further changes should be directed. That the Constitution of England has never recognised in every inhabitant a right to share in the Government or in the election of those who govern, but has required some qualification for every voter. That while the claims of education to a voice in public affairs have been recognised in the seats given to the Universities, yet the principal qualifications insisted upon have been, on the one hand, the possession of real property, and on the other the performance of public duties, and in particular the payment of public claims; and that, speaking generally, the former has been considered the

> proper franchise for counties, and the latter for boroughs. That many householders who are not resident in boroughs have to perform, and do perform, public duties, and take their full share in the support of the poor, and in the payment of property and other taxes; and your petitioners believe are worthy of being placed, as far as practicable, on a footing of equality with the burgesses of represented towns, but that if all such householders are added to the county constituency the representation of the freeholders as a class will be practically annihilated. That this difficulty can only be met by including as much as possible of the counties in some borough."

What I understand to be the view of the petitioners is, that by a large extension of the borough boundaries, larger and more independent constituencies might be secured for these towns, the right of voting would be given to a class well adapted to exercise the privilege with advantage, and, at the same time, the character of the county representation, as mainly a representation of property, would be preserved. Such would be the effect of what they propose, since, under the existing law, householders within the enlarged boundaries of the boroughs would vote for the boroughs, while freeholders would still retain their votes for the counties. So understanding the views of the petitioners, I am disposed to concur in them. The petition then proceeds to state—

> "That the same complete revision and extension of the borough system is rendered necessary by the inequalities in the distribution of seats—inequalities so great as to give to two and a half millions of people in towns of less than 50,000 each a greater weight than to ten and a half millions living in the counties, and more than twice the power held by six millions of people in large towns and cities; and that the proposals hitherto made for curing this evil have been utterly inadequate. That while the system of equal electoral districts is opposed to the character of our Government, and while the history and circumstances of each locality should be duly considered, yet it cannot possibly be right to give to towns of 10,000 inhabitants the same weight in Parliament with towns and counties of 200,000, and that some limit ought to be fixed, beyond which such disproportion should not be permitted."

In this part of the petition I entirely concur. One of the first conditions of a good Reform Bill is that it should hold out the prospect of settling the question at least for a considerable number of years, and should not render it necessary that we should soon be again involved in all the difficulties and dangers of a farther change in the Constitution. But no arrangement can be durable which fails to remedy the crying inequalities of the present system. I trust, therefore, Parliament will consent to no measure of Reform which does not deal with this question of the re-distribution of seats in a bolder spirit, and on a larger scale than has hitherto been proposed. It is the more necessary to do so, because I am convinced that it will be requisite to have a greater number of seats to dispose of than is usually supposed. By an extension of the franchise you will necessarily increase the influence of the class that enjoys the smallest advantages of education. At the same time, by disfranchising small boroughs in whole or in part, you will diminish the means by which professional men, and men of ability who do not possess local influence, now practically find their way into Parliament. You ought, therefore, to provide some new facilities for admitting Members of this kind into the House of Commons, at the same time that you adopt measures having an opposite tendency. For this purpose it will, I think, be most desirable to increase the number of seats at the disposal of constituencies, in which the right of voting depends not on the occupation of property, or on residing in any particular place, but on some qualification which implies a superior education. The only constituencies of this kind which now exist are the Universities; and, in my opinion, a good Reform Bill ought to provide both for increasing the number of Members now returned by the Universities, and also for creating new constituencies of the same character. The London and Durham Universities together would form an excellent constituency of this sort. So would the Scotch Universities; and the Inns of Court, as representing the legal profession, would furnish another. The last, I think, would be particularly useful. Different Administrations have been compelled to look to what are virtually nomination boroughs for the means of bringing their Law Officers into Parliament, and it has been extremely convenient that they should be able to do so. This resource will no longer exist when a new Reform has been carried; but the same purpose would at least in part be answered if the legal profession were enabled to send three Members to Parliament, as their choice would naturally fall on the persons marked out by the professional distinction they had attained as fittest to become Law Officers of the Crown. The petitioners also say—

> "That whatever may be the household qualification for a vote in boroughs, it is of the utmost importance to adhere to the principle that all the duties of a householder shall be first performed,

and especially that all rates and taxes shall be paid in full; and that whereas certain Acts have of late years transferred the payments of rates to the landlord and allowed a composition to be made, it is essential to provide that no tenant who avails himself of such relief shall have a vote. That if any claim to be registered is allowed to the occupiers of houses on which a composition may be paid, that claim should be supported by giving up the relief of the composition and paying the full rate, and this not only on the principle that taxation should go with representation, but also because the permission to make such claims without regard to the amount of the rate paid, is really a permission to political partisans to increase at their own pleasure the list of electors."

On this point I think there can be no doubt that the opinion of the petitioners is right. I would remind your Lordships that, in the year 1859, you appointed a Select Committee to inquire what had been the effect, in municipal elections, of a clause in an Act passed a few years earlier, by which persons occupying houses on which the rates had been compounded for by their landlords were enabled to claim to be placed on the register both of Parliamentary and municipal electors. The limitation of the Parliamentary franchise to the occupiers of houses of £10 value has prevented this enactment from producing much effect in Parliamentary Elections; but I speak in the presence of some noble Lords who served with me in the Committee, and I have no doubt they will agree with me that the evidence laid before us was conclusive as to the evils that had arisen from the change of the law to which I have adverted, and that we had proof of its having encouraged bribery and treating, and caused a great deterioration in the character of the municipal government in these boroughs in which the "Small Tenements Act," as it is called, has been brought into operation by the parochial authorities. The evidence to this effect was so clear that the Committee unanimously agreed to a Report, recommending the repeal of the clause in question.

The petitioners also state that they have seen with regret proposals to confer votes in respect of qualifications they regard as shifting, and worthless for political purposes. They think that the "Lodger Franchise," the "Savings Bank Franchise," and the "Funded Property Franchise," would be liable to constant abuse; but they do not consider the same objection to apply to the enfranchisement of every person paying income tax, because the tax Returns would supply the register as impartially as the rate book. They further state that to confer the franchise on persons holding academic degrees, or educational certificates, would be a small matter, but they would approve of it as consistent with the principle which originally gave a vote to the Universities. This is as the petitioners say a small matter, but I confess I cannot agree with them upon it. I do not believe that any educational franchise could be contrived to confer the right of voting in local elections without being unequal and liable to abuse, while the object such a provision would have in view would be more effectually and more safely accomplished by creating special constituencies of the kind I have already described. The petitioners next proceed to state, that the true theory of representation requires that the minority as well as the majority should be fairly represented. That in former times when there were great peculiarities in different places, and much difference in the opinions prevailing in them, the representation of the minority was roughly and partially accomplished; but that in the present state of society, when the whole country is more immediately swayed by one idea, some additional provision is necessary, and to provide that each elector may give as many votes as there are Members to be chosen, and distribute them to one or more candidates at his pleasure, appears to be the safest and easiest mode of providing for the representation of minorities. They remark that the objections to this plan have scarcely any weight as regards constituencies by which three or more representatives are chosen, and in such cases, if in no others, they pray the House to insist on so just and useful a provision. Even where two Members are to be elected they show by figures—with which I forbear from troubling your Lordships—the injustice would be incomparably less than at present.

On this point I think the argument might have been pushed further than it has been by the petitioners. I am prepared to maintain that by the plan they recommend no injustice whatever would be done, since nothing can be fairer than that if a man is allowed a certain number of votes he should be allowed to dispose of them as he pleases; and, on the other hand, by the existing system great injustice is very often done. I refer to that very common case, which those of your Lordships who have had any experience of contested elections must often have witnessed, in which a single candidate on one side stands against two who have coalesced on the other. In such cases the only chance which the single candidate has of success is in inducing his friends and supporters to give him what are called "plumpers," that is, to throw away one-half of their votes. Thus, by what seems to me an arbitrary provision of the law, the electors of the weaker party are prevented from giving more than one vote each, while those of the stronger can give two. I am sure that those who, like myself, have had experience of contested elections under such circumstances, will bear me out in saying that this system is altogether repugnant to the feelings of ordinary electors—so much so, that it is often found necessary to put up a second candidate on the weaker side, merely to take off the votes which electors do not like to waste. But this only increases in another way the disadvantage of the weaker party. The effect, therefore, of the present system is to commit this injustice, that while it gives two votes to every elector on one side, it practically allows only one to those on the other. The system of voting recommended by the petitioners, and which is commonly known by the name of "cumulative voting," would further have the great advantage of affording the only solution yet suggested of the problem, as to how additional weight in elections may be given to the working class, by an extension of the franchise, without giving them a complete predominance. This class is so much more numerous than any others, the circumstances of those belonging to it are in general so nearly alike, and they inhabit so much the same sort of houses, that it is hardly possible to discover any qualification for voting based upon the description of house they occupy, which shall admit any considerable number of working men, without admitting so many as altogether to overpower the existing constituency. This has throughout been felt to be one of the main difficulties of arranging the franchise; and what is called "plural voting" is one of the methods proposed for escaping from it. By "plural voting," I understand a system of voting which, adopting the principle partially in use in elections under the Poor Law, would give one or more additional votes to electors occupying houses exceeding a certain value, or having more than one qualification. To such a proposal there are two strong objections. In the first place, it is invidious, it gives an advantage to mere wealth in a peculiarly offensive form; and secondly, it is calculated to do either too much or too little. If it should give so much weight to the wealthier classes as to secure them a majority, it would be open to the reproach of withdrawing with one hand from the working men the power it professes to give them with the other. If, on the other hand, it should fail to do this, it would be of no value as a security. Now, the other system, the "cumulative vote," is free from both these objections. It is in no degree invidious, since it gives precisely the same power of using his votes as he pleases to the poorest elector as to the richest, while it effectually solves the problem of giving to the working classes substantial weight, but not absolute predominance, and completely insures you against giving a monopoly of power to any one class in a constituency. And, looking forward to what is likely to be the state of things in future years, I regard this as a matter of great importance; because I think no man can carefully watch the signs of the times without perceiving it to be highly probable that with the enlarged constituencies, borough elections at least will often turn less on questions of general policy than on those by which the interests of the employers on the one side, and of the employed on the other, are supposed to be affected. Though these interests are never, I am convinced, really opposed to each other in the long run, they are often believed to be so, and we must expect severe contests to arise with reference to measures supposed to be favourable to the one side or to the other. If so, it would be most undesirable that a state of things should exist in which either the employers or the employed would obtain a monopoly of the representation. Both parties in such circumstances ought to have the means of making their views and opinions fairly heard in the House of Commons, and the mode of voting, recommended by the petitioners, would afford the surest, if not the only means by which this object could be obtained. But I know it has been objected that in the great majority of counties and boroughs returning two Members to Parliament, the Liberal and Conservative parties are so nearly balanced that, under the proposed system, each side would return one of the Members, who would thus in a party division neutralize each other, and the result would be that the control of Parliament, and the real predominance of power, would be left in the hands of the constituencies returning single Members or three. This argument rests altogether upon what is, I think, the unfounded assumption that the whole country is divided into two great parties, calling themselves Liberals and Conservatives, and that these parties are far better disciplined than is really the case. I am persuaded that while the names of Conservative and Liberal will, no doubt, continue to be freely used, the Members chosen under the proposed system would owe their seats far more to opinions prevailing upon local matters, and to the respect and popularity they may enjoy, than to their bearing the name of one or other of two parties, between which the line drawn by a real difference of opinion on great public questions is daily becoming more faint. And in future we may expect that though Members may still be called Liberals and Conservatives, their conduct in Parliament will be guided less by these names than by the judgment they may form on the questions that arise, and what they may believe to be the prevailing opinion of the public with regard to them. In support of this view of the subject, let me refer your Lordships to the history of the last Session. I would remind you that when the new Parliament assembled, according to the calculations of those useful functionaries of both parties who make such calculations, the late Government were supposed to have a clear majority of from 70 to 80. And no doubt this was true; but how rapidly this large majority melted away when the measures of the Government failed to command the approval of the House or of the public. There is another consideration which, in my judgment, is of great weight in favour of this system of voting; I mean its tendency to check the ruinous expense of elections and corruption. We must all, I am sure, feel that the enormous cost of contested elections, and the increasing prevalence of corruption, are alarming and growing evils; and it is obvious that this mode of voting would greatly reduce the amount of money now so lavishly and mischievously spent in a General Election, by diminishing the number of contests. I am quite aware that this would be looked upon as anything but an advantage by certain persons who exercise great power in elections, and to whom even an increase of the expense of contested elections would be far from disagreeable; but to the public the advantage would be clear. But what is of still more importance is, that this system is the only measure I have yet heard proposed which affords any fair prospect of checking corruption. I, for one, am very incredulous as to the probable success of attempts to stop bribery by penal legislation. So long as the corrupt inclination to give, and to accept bribes, continues to exist, little good will be done by such legislation. You may possibly suppress the modes of bribery now usually practised, but new ways of evading the law will be found out, and in some shape or other the corrupt inducement will be given to those who wish to make gain of their votes. Now, the various measures against bribery that have hitherto been tried or suggested have no tendency to diminish the inclination to take bribes; but the "cumulative vote" is calculated to do so. For, how is it that bribery is generally introduced into a borough? From the facts discovered by Election Committees, and by the Commissions which have of late years been appointed to inquire as to the existence of corrupt practices, we have learnt very clearly that such practices generally arise in this way. Two parties in a borough being nearly equal in strength, and the honest voters on the two sides almost balanced, a small number of mercenary voters, sometimes freemen, and sometimes not, find that the election is in their hands, and make it understood that they are ready to sell the power they possess. Then an unscrupulous partisan on one side or the other offers bribes to these men, and the opposite party is soon led in self-defence to do the same. Unfortunately, the bad example thus set is generally followed by others, and voters who have no strong political feeling, but were inclined honestly to give their votes in favour of the candidates they on the whole preferred, seeing their neighbours getting £15 or £20 for their votes, and apparently not the worse thought of, and knowing how great a convenience receiving such a sum would be to them, are unable to resist the temptation. And thus from a few mercenary individuals the taint spreads, till, as we learn from recent reports, whole constituencies become infected. The "cumulative vote" would stop this process, because under that system, when parties were equally balanced, instead of being led into a desperate contest by electioneering agents and others who have an interest in causing money to be spent, each party would choose a Member.

My Lords, I fear I have entered somewhat further into this question of the "cumulative vote" than I ought upon the present occasion, though I am far from having stated all the arguments in its favour. I will now revert to the petition, and there is only one further point in it to which I have to call your attention. The petitioners conclude by saying that looking to the vast importance of this question, the necessity for distinct principles as the basis of legislation, and the tentative devices that have been hitherto suggested, they fear lest great injury may be done by crude and hasty measures, and they pray the House to insist upon such a well-considered scheme as may serve to check agitation and content the people of this country, and rather even to postpone for a few months the passing of any law than to allow a partial and ill-digested measure to regulate all future elections.

Such, my Lords, is the prayer of the petition, of which I have brought under your notice the most material parts. Before I move that it be laid upon the table, I will venture to trouble you with a few remarks on the present position of the important question of Reform, for which I hope you may not consider this to be an unfitting occasion. I, for one, cannot regard the position in which this question is now placed without very serious alarm. We have reason to fear that one of two things may happen; either we may see another Session consumed in fruitless debates on this question without arriving at any practical conclusion upon it, while useful legislation is impeded; or we may do that which the petitioners deprecate—pass a crude and ill-digested measure. Either of these results would be bad; but the last is, I fear, the most probable, while it would be by far the worst. Delay and the waste of another Session would indeed be grievous evils; but they would be temporary evils, and evils we might hope to get over.; the passing of an ill-considered measure would do permanent injury to the institutions of the country, and inflict upon it an evil that never could be repaired. And this appears to be what is most likely to happen. It has been announced to us that legislation on the subject of Reform is to be attempted in the present Session, while there is too much probability that from sheer disgust and weariness of the subject Parliament may consent to pass the Bill which may he submitted to us, however imperfect it may be. And from the extraordinary revelations of the last fortnight, it is plain that the measure has not been framed and matured with the deliberation and care which the difficulty and importance of the subject demand. We know what great and sudden changes there have been up to the last moment in the views of Her Majesty's Government, and within how very short a time the task of embodying these views in a Bill has been undertaken. I believe it to be impossible that a measure deserving the approval of Parliament can be produced in this manner. We have been told, indeed, that the principles of the measure were settled long ago by Her Majesty's Ministers; but I venture to remind your Lordships that this is a subject on which the principle is involved in the details. To bring forward any Reform Bill implies a proposal to extend the franchise more or less, and to take away seats from some places to confer them upon others. But the whole character of the measure depends upon the figures which determine the extent to which these changes are carried, and on the manner in which the various parts of the arrangement are adapted to each other. For instance, it is impossible to form a judgment on any proposal for the extension of the franchise till we know how the question of the re-distribution of seats is to be dealt with, and what therefore will be the probable numbers and character of the constituencies the new franchise will create, and what are the conditions under which the new electors will be called upon to exercise their privilege. Without having before us a scheme of Reform as a whole, and in its details, no man can even guess how it will be likely to work. Remember, that in dealing with the question of Reform our object ought to be not merely to give satisfaction to a large number of persons who demand that a share of political power should be conceded to them. To a certain extent I admit that this is a legitimate demand, and to meet it ought to be one of the objects of a Reform Bill; but the more important object to be aimed at is to improve the character of the House of Commons, and to render it more fit to discharge its high duties in the Government of the country. The noble Earl opposite (the Earl of Derby), indeed, a few evenings ago, said that he doubted whether the result of any change we could make would be to produce a House of Commons more truly representing the feelings and opinions of the people of this country, or more judiciously, more wisely, and more impartially consulting the interests of all classes of the community. If such be the opinion of the noble Earl, I own I have some difficulty in understanding how he can have consented to attempt any alteration of the constitution of the House of Commons. For my own part, I cannot go so far as this. I think there are faults in the present constitution of the House of Commons which it would be desirable to remove; though, on the whole, since the passing of the Reform Act of 1832, it has admirably performed its functions, and satisfactorily filled its place in the Government of the country. But while I recognise the necessity of endeavouring to improve the constitution of the House of Commons, and of giving more weight in it to the working class, I am convinced that there is so much truth in the opinion of the noble Earl, that we ought on no account to consent to such an alteration, as would render the House of Commons a mere instrument for expressing the opinions, and enforcing the wishes, of the numerical majority of the population. That House ought to continue to be what it has hitherto been in theory, and to no small extent in practice, a deliberative Assembly, in which the opinions and wishes of all classes are heard, but which habitually acts under the guidance of those best able to judge what is really most for the common good. To a great extent — I am far from saying altogether—this idea has been fulfilled in practice. By means of anomalies and irregularities, in themselves open to no small objections, the important end has been attained of introducing into the House of Commons Members of various opinions indirectly representing most classes of the community, while the body as a whole has, in general, pretty correctly expressed the true opinion of the nation, meaning by the nation the majority not of mere numbers, but of those who, whether high or low, are capable of forming an independent judgment on public affairs. And guided by this opinion, it has usually caused both legislation and the Executive Government to be carried on in a manner calculated to promote the real welfare of the people. If we look back at its conduct for the last thirty-five years, such, I think, is the judgment we must form of the character and conduct of the House of Commons; and till very lately, such was the received opinion of even the most advanced Reformers. Very few years have elapsed since Mr. Bright himself endeavoured to reconcile us to the prospect of a further Reform of Parliament, by telling us how happy had been the results of the former measure. He reminded us how great had been the fears of a powerful party as to what would be the effect of the Act of 1832, and then pointed out how visionary experience had proved these fears to have been. He described in glowing words the useful and beneficent legislation which the country owed to the Reformed House of Commons, and asked how, after this experience, we could hesitate to make a further change in the constitution of that House, in the same direction with one which had proved thus successful? Up to a very recent period, that was the opinion of even such advanced Reformers as Mr. Bright. The views which Mr. Bright lately entertained —I know not whether he still adheres to them, but I hope he does—are rejected by those who have now come into the front rank of the advocates of Reform, and a totally opposite doctrine has of late become popular. We are told that a great Reform, a complete alteration of the character of the House of Commons, is necessary, because it has utterly failed in the performance of its duties; all the faults, real or imaginary, in our laws, all the evils to be found in our complicated society, are described and exaggerated—Parliament is fiercely denounced as responsible for them all, and the establishment of the unqualified supremacy of democratic power is loudly demanded as the sure and only remedy. Such is the new doctrine. Certainly, my Lords, I am not here to deny that the country is still suffering from many most serious evils, though much has been done during the last five-and-thirty years for the removal of these evils, and to increase the welfare of the people. Those who, like myself, are old enough to remember what the condition of the people really was in 1832, and who have watched the progress and effect of the various remedial measures which have one by one been since adopted, cannot doubt that in these years a great work has been accomplished. But I freely admit that while much has been done, much still remains to be done. No one can be more deeply convinced than myself of the urgent necessity for further measures for the benefit of the people. But I venture to deny that the existence of faults still remaining to be removed in our laws, and of great social evils still requiring a remedy, can be traced to the absence of sufficient popular power in Parliament, and to the want of a more democratic character in the House of Commons. If time would admit of my going into an examination of the various evils of which the continuance is imputed to the defective constitution of the House of Commons, I think I could demonstrate to your Lordships in nearly every case that there is no ground for these imputations. It is impossible for me to attempt this without making an unjustifiable demand on your patience; but I hope you will not think I am taking up too much of your time, if I ask you to permit me to examine how far, in one particular instance, it is true that evils, alleged to be owing to the insufficiency of the democratic element in the House of Commons, are really to be thus accounted for. Perhaps there is nothing for which Parliament and the Government have been so severely condemned as for the abuses which have of late been detected in the administration of the Poor Law, more especially in the metropolis. The accounts which have been given of the state of some of the London workhouses, and of the manner in which the destitute and the sick have been treated in them, have, with too much reason, created a general feeling of horror and indignation. But how have these abuses arisen? Not because the law sanctions such things as have been done. On the contrary, nothing can be clearer than that the law imposes on certain local authorities the imperative duty of providing adequate relief for the destitute and humane attendance for such of them as are sick. The provisions of the law to this effect are clear and stringent, and these abuses have only arisen because the local authorities, charged with the administration of the law, have failed in the discharge of their duty. Why have they done so? We are told it is because the Government and Parliament have neglected to exercise sufficient control over them, and this is in part, at least, the truth. But I would ask those who, like myself, sat in the House of Commons thirty years ago, and took part in discussing these matters, how did it come about that the Government and Parliament did not sooner exercise a more effective control over the local authorities? How was it that local Acts were allowed to remain in force, exempting large districts of the metropolis from the effective interference of the Poor Law Commissioners, and what is it that has mainly contributed to cripple the efforts of those Commissioners to enforce a satisfactory performance of their duties by the local authorities? Those who remember the proceedings on this subject thirty years ago, and for many subsequent years, will, I am sure, bear me out in the assertion that it was the Members of the House of Commons of the strongest democratic opinions, and amongst them especially some of the metropolitan Members, who were chiefly responsible for the vestries and Boards of Guardians not having been placed under proper control. These Members were never tired of declaiming against centralization, and the tyranny of the Commissioners in seeking to overrule the representatives of the ratepayers. I think my noble Friend the Master of the Rolls must remember those days in the House of Commons as well as myself, and the Select Committee so ably presided over by my lamented Friend Mr. Fazakerley, in which it was the object of the metropolitan Members, and the Members of the Democratic party, to make out a case against the continuance of the powers of the Poor Law Commissioners. This statement will, I trust, convince your Lordships that at least so far as regards the maladministration of the Poor Law, the faults which have been committed by Parliament cannot be ascribed to the too small influence of democracy in the House of Commons. If time admitted of my going into other cases, I could, I think, show you that in most of them the same thing is true, and that the chief errors committed by the House of Commons in the last thirty-five years have arisen from its having too faithfully reflected mistaken opinions which at the time prevailed in the nation. The nation is not infallible, sometimes it is the small minority that is right, and the great majority that is wrong, and it is only slowly that on some subjects the nation comes round to sound opinions. In these cases Parliament, representing the nation, necessarily follows its opinions, and it cannot sometimes adopt reforms, and measures of improvement, which are right in themselves, because public opinion is not yet prepared for them. But the British Parliament may safely challenge a comparison with Legislatures of a more democratic character, with respect to the manner in which it has performed its duties and the wisdom of its measures.

I wish I had time to compare our Parliament with the Legislatures of the

Australian colonies, or with Congress and the State Legislatures of the United States, as I think I could demonstrate to you by the results, how far it is from being true that the Legislatures of the most democratic character have been the most successful in the performance of their duties. But, though I cannot now attempt this, perhaps I may venture to ask your attention to a comparison between the British Parliament and the Congress of the United States in one respect only. A distinguished Member of the other House of Parliament, and one of the most eminent modern writers on politics—I mean Mr. Stuart Mill, the Member for Westminster—has said, in his admirable work on representative government, that one of the great uses of a representative Legislature is to instruct and educate the nation, and gradually to prepare the people for the adoption of sound measures. In this respect Parliament has been eminently successful. Its debates have been the principal means by which political wisdom, and the results arrived at by the patient researches of philosophical inquirers, have been made gradually to sink into the minds of the people, and truths at first recognised only by a few of the ablest men of their day, have at length been practically adopted in legislation. Let me refer to what has happened with respect to the principles of free trade. For many years after these principles had been proclaimed by Adam Smith, they continued to be rejected, and the necessity of commercial protection to be insisted on, alike by statesmen, by landlords and farmers, by manufacturers and merchants, and especially by the working classes, who on many occasions broke out into violence in opposition to what all persons now admit to have been their own true interests. We have had in former days mobs to insist upon Parliaments excluding foreign silks, or to break frames or thrashing machines, and committing gross outrages in the hope of enforcing a mistaken policy. Even so late as when I first had the honour of a seat in the House of Commons, it was only a very small minority that ventured to declare themselves in favour of free trade. In the year 1827 I remember voting in a minority of only 12 against adopting the principle of the sliding scale in the duties on corn, which every one now admits to be a fallacy; and so strong at that time was the general feeling in favour of protection on both sides of the House, that those who denied its policy were compelled almost to apologize for the opinions they entertained, and even Mr. Huskisson himself, in recommending his wise measures for gradually breaking down the system of monopoly, was obliged to support them by arguments which I can hardly believe to have been those by which his own mind had been convinced. A total alteration of opinion has since been brought about, and the principles then generally scouted are now admitted to afford the only sound basis for legislation, and the debates in Parliament have been chiefly instrumental in producing this change. Speeches at public meetings, and the discussions of the press, great as their influence undoubtedly is, have yet less effect upon public opinion than the debates of Parliament. And it is natural that it should be so; there is no other mode by which opposite opinions can be so fairly pitted against each other, and when such men as Mr. Cobden and my right hon. Friend, the brother of the noble Earl near me (the Earl of Clarendon), one of the earliest and ablest advocates of free trade in corn, have the opportunity of exposing the fallacies brought forward against sound principles, errors are gradually broken down by the power of truth, and what was originally a minority becomes at length a majority. Now, by universal acknowledgment Congress is immeasurably inferior to the British Parliament in fulfilling this important object of a representative Legislature. Its debates command nothing like the same interest and attention, and exercise far less influence for good on the minds of the people. This is partly owing to the intellectual inferiority, as a body, of the House of Representatives at Washington to the House of Commons, partly also because in America the natural tendency of giving unlimited power to the numerical majority of the population is developing itself more and more. An assembly representing the numerical majority of the population is by its very nature intolerant of contradiction, and we know that a system of not only outvoting, but of silencing the minority, has been adopted in Congress by means of the "previous Question."

I have particularly called your Lordships' attention to the difference in this respect between the American Congress and the British Parliament, because it appears to me that nothing can afford so strong a proof of the importance of not making such a change in the mode of electing the

House of Commons, as to deprive superior education and intelligence of their just influence. And I think this deserves to be the more considered, because very opposite views have lately been put forward. We are now told that political knowledge is unnecessary for the people, that it may be required in Legislators and Governors, but is not wanted in those by whom Legislators are to be chosen. The people, it is said, may be incapable of judging how the evils from which they may suffer can be cured; but they alone feel these evils so acutely as to be determined to insist on their being removed, and when this determination, backed by power, exists, they will find men capable of accomplishing the work to be done. Experience affords little ground for such an expectation. The people suffered great oppression in the reign of Henry VI, they were acutely sensible of the evils they endured, but it may well be doubted whether a real improvement in their condition would have been accomplished if they could have succeeded in raising Jack Cade to power, when he led them into rebellion by promising that seven halfpenny loaves should be sold for a penny, and that the three-hooped pot should have ten hoops. In the same manner you may remember that twenty-five years ago the great mass of the people were more inclined to trust Mr. Fergus O'Connor than Mr. Cobden, as the person who was to deliver them from the severe distress they at that time endured. Mr. Cobden told them that to relieve industry from artificial restrictions, and especially to get rid of the Corn Laws, would be the surest mode of giving relief to the suffering working classes. Mr. Fergus O'Connor told them that these measures would do little for them, and were really wanted only to increase the gain of their masters, with the risk of sacrificing the British to the foreign labourer, and that what they ought to ask for was the five points of the Charter. At out-of-doors meetings it was generally the views of Mr. Fergus O'Connor, not those of Mr. Cobden, which were popular; and in like manner in the present day, I fear it would be found that the most ignorant classes, if they should be enabled to determine to what hands power is to be trusted, would be too likely to confer it upon men little able to deal with those difficult questions of law and policy, from the right solution of which any real improvement in the condition of the people can alone be looked for.

The conclusion I would draw from these considerations is, not that you ought to refuse increased representation to the working classes, but that when you admit a larger proportion of them to the franchise you are bound by ordinary prudence, and by a regard for the interest of these classes themselves, to take care that such other amendments shall at the same time be introduced into our system of representation as may be necessary to prevent its balance from being overthrown. How this ought to be done, whether by adopting the suggestions of the petitioners, or by what other means, is a question into which it would not become me to enter further at present; but I must repeat that to make a large alteration of the franchise, unaccompanied by some measure or other calculated to maintain the balance of the Constitution, would be a most dangerous course. It was on this ground that I disapproved of the Bill brought in last Session by the late Ministry. I did not think the mode of extending the franchise they proposed the best or wisest that might have been suggested; still, I should have been prepared to accept it (as it was not to its extent I objected), if it had been accompanied by other arrangements I considered indispensable. It was because it was not joined with any provisions of this kind, while we were expressly told it was to be a beginning of further alterations, that I so heartily joined in the almost universal condemnation of the first, or the "single barrelled," Bill, as it was called. Unfortunately the additions afterwards made to this Bill by the Government, in deference to the general wish for a complete measure, were so hurriedly decided upon, that they proved, as might have been expected, unsatisfactory. Still, I regretted the mode of opposition to this Bill which was adopted, and thought then, as I think still more now, that it would have been far wiser for men of moderate opinions to propose a distinct scheme for the amendment of the Bill, than to thwart and obstruct it. Another Bill is now about to be submitted to Parliament: for the reasons I have already stated, I fear that it can hardly prove to be one deserving the approval of Parliament; if not, I must express my earnest hope that Parliament may be induced to declare that it will neither allow another Session to be wasted in fruitless debates, while all the other useful legislation which is so urgently wanted is impeded, nor yet consent to pass a crude and ill-digested measure. I would venture to suggest that as the best mode of escaping from one or other of these great evils, the Bill, if it turns out as I apprehend a bad one, ought to be returned to Her Majesty's Government (whether it be the present or any other Government), in order that it may be more maturely considered, and then Parliament might again be called together in November for the express and single purpose of dealing with this very difficult question.

I have but one more word to add. I feel that an apology is due from me to your Lordships for having taken upon myself to bring this subject under your notice, at this time, in the manner I have done. The only excuse I can offer for having assumed so great a responsibility, though I am well aware I have no claim to authority or influence in the House, is, that I think the situation of affairs, with reference to this question, is as full of danger as I am sure it is unexampled. By an extraordinary combination of circumstances, and owing to what I believe to have been great faults on all sides, we are rapidly drifting towards what, in my judgment, would be the greatest evil that can befal the nation. A combined and earnest effort on the part of independent men may possibly still check the fatal progress; and, feeble as my voice may be, ineffectual as I know the attempt will in all probability prove, I have thought it my duty, not in such circumstances to be silent, but to endeavour to the best of my power to warn your Lordships of the perils before us. I move that this Petition do lie on the table.

Petition *ordered* to lie upon the Table.

TRAFFIC REGULATION (METROPOLIS) BILL—(No. 35.)

(*The Earl of Belmore.*)

COMMITTEE.

Order of the Day for the House to be put into Committee on the said Bill read.

THE EARL OF BELMORE, in moving that the House go into Committee on this Bill, said, it was proposed by the Select Committee that several modifications should be introduced into it. With respect to the coal trade, the discharge of casks down cellars, and the timber trade, it was intended that the stringent rules contained in the 6th and 9th clauses, and which applied to the whole metropolis, should be relaxed, and that the restrictions should be limited to the principal thoroughfares, the great object being to keep open the leading routes. It was proposed that the regulations prohibiting the loading and unloading of goods in certain streets should be abandoned, otherwise the total destruction of warehousing in those streets would be the result. The limitations in this respect would now apply only to the through traffic. With respect to hackney carriages, it was originally intended that there should be no fare less than 1*s.* The cab-owners, however, having considered this matter, had come to the conclusion that it would be injurious to them, because they would be deprived of a great number of 6*d.* fares which they got under the present arrangement. The original proposal was therefore abandoned. With regard to the introduction of a better class of hackney carriages, it was proposed that where a proprietor of carriages was desirous of letting them at higher fares he might make application to the Commissioner of Police, who, upon inspection of the vehicle, might grant a licence to ply at a higher rate of charge, the licence stating that higher amount. It was also provided that the carriage should be taken for inspection to the Commissioner of Police or some person appointed by him at least once every two months. Some slight modifications had also been made with respect to the removal of snow, and regulations were laid down for the protection of shoeblacks and commissionaires, to prevent the work being carried on by unauthorized persons.

Moved, "That the House do resolve itself into a Committee on the said Bill."—(*The Earl of Belmore.*)

LORD REDESDALE thought that there should be some relaxation respecting hours between summer and winter. It had been represented that in winter the time was too limited for the removal of furniture and many of the operations of the building trade.

Motion *agreed to:* House in Committee.

Clauses 1 to 10 amended and *agreed to.*

Clause 11 (Prohibition of Carriage of Advertisements).

THE EARL OF SHAFTESBURY desired to say a word on behalf of a very deserving class of poor men who were ordinarily called "sandwiches." He had a great deal of communication with these men, and he knew them to be very deserving. Most of them were aged, those who were young were generally cripples, and if they were put out of employment by the operation of the Bill, they would be reduced to absolute starvation. A few years ago they were put down by the police, and when he spoke to Sir Richard Mayne in their behalf, Sir Richard said that they were a quiet body of men, but that the shopkeepers objected that they obstructed doorways and shut out customers. He did not think this objection on the part of the large shopkeepers ought to be allowed to deprive these poor people of a livelihood. He thought that if the word "board" were struck out of the clause the object would be attained.

LORD HOUGHTON said, he gladly supported the suggestion of the noble Earl. It had been given in evidence before the Committee that these were a most inoffensive body of men, and if the clause were to pass unaltered about 700 people would be thrown out of employment. He was a great peripatetic, he went about London a good deal, and he had never found any inconvenience from these men whatever. To say that they were more in the way than other people walking about was absurd.

LORD STANLEY OF ALDERLEY said, that for the sake of finding employment for a few infirm old men, the "sandwich nuisance" ought not to be allowed to continue. Very often these men carrying about placards on the pavement frightened horses, and prevented carriages driving up to shop doors. If they were to make an attempt to clear the streets of obstructions, he hoped that no alteration would be made in the Bill.

THE EARL OF BELMORE said, that at present these men could be dealt with by the police under the Metropolitan Act.

THE EARL OF SHAFTESBURY said, he had never heard sandwich men called nuisances before. He challenged proof of an instance in which they had frightened a horse. They were only objectionable to shopkeepers with large windows. These men were generally infirm, and resorted to this employment as the last means of gaining a subsistence. Their Lordships would do a kind act if they struck out the word which included them.

THE EARL OF KIMBERLEY deemed the sandwich men a nuisance because they walked in the gutters and presented a formidable array to be encountered by a carriage driving up to a shop door.

THE LORD CHANCELLOR suggested that it might be possible to limit the height of the boards which the men carried.

EARL DE GREY AND RIPON said, the object of the clause was a good one, being to keep the streets clear of obstructions; and if these men obstructed the clear passage of the streets they ought to be stopped. He thought they would find other employment.

THE EARL OF SHAFTESBURY rebutted from his own knowledge the allegation that these men could easily find other employment, and said that the result of the passing of the clause would be a most serious injury to them.

Clause *agreed to.*

Clauses 12 to 18, inclusive, *agreed to.*

Clause 19 (Carriage to be subject to provisions of Hackney Carriage Acts, with additions.)

THE MARQUESS OF WESTMEATH said, that 4,190 persons had been killed or injured in the streets of London between 1858 and 1865; and therefore he was justified in concluding that there was not proper control of the traffic; and he attributed the accidents to the furious driving of light carts, which were often in charge of youths who thought it good fun to drive recklessly. He proposed, therefore, to introduce a clause to check the evil—

"And be it enacted, That it shall be incumbent upon the Owner of any Cart or Vehicle plying in the Streets in the Butchers Trade or Costermongers Trade, or any other small retail Traffic, to have a Tail Board attached thereto, and to have inscribed thereon a Number the Figures of which shall not be less on each Figure than Two Inches in Length, and that Number as a Designation of such Vehicle shall be registered in the Office where other Hackney Carriages are registered, and that any Prosecutor against the Offence of reckless driving shall be entitled to refer to that Number as a sufficient Identification of the Vehicle and its Owner; and that if any such Vehicle shall be found plying in any Street without such Number thereon, the Owner or the Driver thereof shall be subject, on Conviction, to be imprisoned for One Month."

THE LORD CHANCELLOR said, the object of his noble Friend was a good one; but he was afraid that it would not be attained by the insertion of the proposed clause. In the first place, it would only affect the carts of butchers, costermongers, and others engaged in small retail traffic. It was obvious, however, that the magistrates would find it difficult to define what a small retail traffic was. Moreover, the clauses under discussion related to vehicles plying for hire in the streets. Then his noble Friend proposed to impose a tax on such carts, but he doubted whether a clause relating to taxation could be introduced in that House. It was also suggested that the carts should be of a peculiar construction, and that the tail-boards should be numbered so conspicuously that even weak sighted persons might read the figures. No provision was made, however, that the tail-boards should be kept up. Under all the circumstances, he must object to the insertion of the clause.

Clause *withdrawn.*

Clauses 20 and 21 *agreed to.*

Clause 22 (Licensing Shoe-blacks and Commissionaires.)

THE EARL OF SHAFTESBURY said, this clause affected the Shoe-black Brigade which would be to some extent placed under the control of the Commissioners of Police. He might mention that none of the lads occupied the best stations for more than a fortnight, or at most three weeks at a time. If all the arrangements, however, were left to the police, he feared that the whole system of the society would fall to the ground.

THE EARL OF BELMORE said, it was understood that the societies would always be consulted before any new regulations were made. The object of the clause was to prevent unauthorized persons from interfering with the regular shoe-blacks.

Clause *agreed to.*

Remaining clauses and schedules *agreed to.*

The Report of the Amendments to be received on *Tuesday* next, and Bill to be *printed* as amended. (No. 46.)

House adjourned at half past
Seven o'clock, to Monday
next, Eleven o'clock.

HOUSE OF COMMONS,

Friday, March 15, 1867.

MINUTES.]—NEW WRIT ISSUED—*For* Huntingdon County, *v.* The Hon. Robert Montagu, commonly called Lord Robert Montagu, Vice President of the Committee of Council for Education.

NEW MEMBERS SWORN—Viscount Newport, *for* Salop (Northern Division); Right Hon. Sir John Somerset Pakington, baronet, for Droitwich.

SUPPLY—*considered in Committee*—ARMY ESTIMATES.—CIVIL SERVICE ESTIMATES (*on Account.*)

PUBLIC BILLS—*Ordered*—Mutiny.*

First Reading—Masters and Workmen * [77]; Public Schools * [78]; Mutiny.*

Second Reading—Charitable Donations and Bequests (Ireland) [49]; Chester Courts * [69].

Third Reading—Dublin University Professorships * [59], and *passed.*

MR. CHURCHWARD'S APPOINTMENT.

QUESTION.

MR. TAYLOR said, he would beg to ask the Secretary of State for the Home Department, Whether the Mr. Churchward who has lately been nominated to the Magistracy at Dover is the same gentleman of whom a Committee of this House remarked, in their Report in 1859, that he had—

> "Resorted to corrupt expedients affecting injuriously the character of the representation of the people in Parliament,"

and of whom likewise it was reported by a Select Committee of this House, in 1853, that he had been guilty of bribery.

MR. WALPOLE: Sir, since the hon. Member placed his Notice on the Paper I have communicated with my noble Friend the Lord Chancellor, and I have also referred to the Report to which, I suppose, the question of the hon. Member alludes, imputing bribery to Mr. Churchward. I will read the exact words of that Report, which are contained in two distinct paragraphs, and I think the House will see that it is really not a fair thing to say that Mr. Churchward was charged with bribery in the sense which the question implies. The first charge relates to the election at Plymouth in 1853. The Report says—

> "That it was proved that George Knapman was bribed by C. J. Mare, Esq., and by Joseph George Churchward by the promise to use their influence to obtain a situation in the Excise."

That is the first Report, and the House will see that the case was one of promising to procure a place, and not one of bribery by giving money. I hope hon. Gentlemen will see that there was a very material distinction between the two things in the view of the Committee, whose opinion has never been challenged by the House. The Committee make this further Report—

> "That a general belief appears to have prevailed at Plymouth both previous to and at the election in 1852 that it was not illegal for a candidate or his agents to obtain, or promise to obtain, situations or employment for electors who had previously pledged their votes."

The Committee add—

> "That the circumstances of the case are not such as to induce the Committee to recommend a further inquiry by Commission."

These being the facts of the case, I will communicate to the House the answer which my noble Friend the Lord Chancellor has given relative to his appointment of Mr. Churchward as a magistrate—

> "Mr. Churchward was a stranger to me. In the application for new magistrates for Dover he was recommended by gentlemen upon whom I felt myself justified in relying, and I was utterly ignorant until I was shown the Notice of the Question that he had ever been suspected of being concerned in any irregular transactions connected with elections."

That is the answer of my noble Friend.

Mr. Serjeant GASELEE: I wish to ask whether the noble Lord, now that the facts have come to his knowledge, has rescinded the appointment?

Mr. WALPOLE: The hon. and learned Gentleman, if he asks such a question, ought to give me notice.

Mr. Serjeant GASELEE: Then I beg to give notice that I shall ask the question on Monday next.

Mr. TAYLOR said, the right hon. Gentleman had not answered the part of his (Mr. Taylor's) Question which referred to whether Mr. Churchward was the same gentleman of whom a Committee of that House, in their Report in 1859, remarked that he had—

> "Resorted to corrupt expedients affecting injuriously the character of the representation of the people in Parliament?"

Mr. WALPOLE: I thought I had answered that question. Mr. Churchward is the same gentleman to whom both branches of the hon. Member's inquiry refers.

IRELAND—SALMON FISHERIES.

QUESTION.

Mr. BLAKE said, he rose to ask Mr. Attorney General for Ireland, Whether it is the intention of the Government to introduce, during the present Session, a Bill similar to that promised by the late Administration, to amend the Laws relating to the Salmon Fisheries of Ireland?

The ATTORNEY GENERAL for IRELAND (Mr. Morris) said, in reply, that he was not aware that any Bill was promised by the late Government; but if the hon. Gentleman would call upon him and state what he wanted, he (Mr. Morris) would consider the subject, and offer the best advice in his power to the Government.

METROPOLIS—HYDE PARK.

QUESTION.

Mr. Alderman LUSK said, he wished to ask the First Commissioner of Works, If he thinks it desirable to continue the elaborate horticultural embellishment of the Park Lane side of Hyde Park, at considerable public expense, while the Bayswater side and Kensington Gardens are in the same respect comparatively neglected?

Mr. DYCE NICOL said, he also wished to ask, whether the unsightly fence surrounding the Park should not be removed; whether the contractor could not be induced to complete the new railings before July, 1868; and whether it was true that the price of those railings was to be £40,000?

Lord JOHN MANNERS: Assuming, Sir, as I cannot do, that the adjectives and adverbs of the worthy Alderman's Question are correct, I can only answer it in the affirmative. With respect to the Question of the hon. Member for Kincardineshire (Mr. Dyce Nicol) no doubt the contractor might be induced to hurry on the work, if the public are prepared to pay him more money for so doing. But, considering how and by whom the railings were destroyed, I am not prepared to recommend the House of Commons to make any additional outlay. As to the latter portion of the hon. Gentleman's Question, it is one of the most incorrect statements I have ever known placed on the notice paper of the House.

MILLWALL IRONWORKS COMPANY.

QUESTION.

Mr. WEGUELIN said, he would beg to ask the Secretary of State for War, Whether the Government has entered into a Contract with the Millwall Ironworks Company (Limited) for the manufacture of a considerable quantity of Gun Iron; whether there was any reason for the Government in this case differing from the usual practice of putting such Contracts up to public competition, and whether it was done in pursuance of a suggestion made by a Mr. Hughes, said to be Manager of that Company, on the occasion of a deputation waiting on Earl Derby to represent the state of distress in East London; and, if so, whether the Government are aware that an equal amount of distress exists among the Ironworkers in other districts; whether he will consent to lay a Copy of the Contract in question upon the table of the House, and will state whether he has satisfied himself as to the capability of the said Company to execute it; and whether he is aware that the representation of Mr. Hughes that the Company would at once take on 1,000 workmen was unauthorized and exaggerated?

SIR JOHN PAKINGTON: Sir, the hon. Gentleman is, of course, aware that this transaction took place before I assumed my present office; but I have reason to believe that it arose partly in consequence of a communication made from the Treasury to the War Office, and partly from the desire to find some employment, if it could properly be done, to persons suffering from distress in the East of London. My answer to the first part of the question is that a contract was entered into to the extent of 1,000 tons of iron with the Millwall Company. In reply to the second question, I think that the hon. Gentleman has too much assumed that this was a departure from the usual custom with respect to putting up such contracts to public competition. The facts are, that the War Office called upon several selected companies for a supply of iron, the object being to obtain the superior class of iron necessary for making guns. The Millwall Company sent in the lowest tender. It was accepted, and they were employed. They performed their contract well, and this order for 1,000 tons of iron was, in fact, only a renewal and continuance of a pre-existing contract between these parties. I have no objection to lay a copy of the contract on the table. With respect to the last question, I believe the hon. Gentleman has been misled as to the number of persons that it was said would be employed if the order were given. I am informed that Mr. Hughes never held out any such expectations, and that his statement was that the order would bring such a number of workmen into employment as would relieve the parish of the maintenance of 1,000 persons, including their families. The difference between 1,000 workmen and 1,000 persons, including the families of the workmen, is a very material one.

MR. WEGUELIN said, he wished to know whether the right hon. Gentleman was satisfied that the Millwall Ironworks Company were in a position to execute the contract?

SIR JOHN PAKINGTON: That subject has been considered. The company have been carrying out the contract up to this time in a manner perfectly satisfactory to the War Office, and the result of inquiries on the spot is that we have no reason to doubt their competency.

MR. GLADSTONE: The right hon. Gentleman has been understood to say that the Treasury made the recommendation to the War Office that there should be an expenditure of public money with a view to relieve the distress in the East of London. I wish to know whether the right hon. Gentleman has been correctly understood; and, if so, whether he will lay the correspondence on the table?

SIR JOHN PAKINGTON: As I have already stated, whatever took place on this matter occurred before I came into my present office. I have reason to believe that very strong representations were made to the Government as to the great distress prevailing at the East End of London. Inquiries were made during the time I held the office of First Lord of the Admiralty as to whether iron ships could not be ordered with a view to relieve that distress. I believe that no direct recommendation was made, but that a suggestion came from the Treasury whether it would be consistent with the practice of the War Office to give an extended order to the Millwall Ironworks Company?

SUPPLY.

Order for Committee read.

Motion made, and Question proposed, "That Mr. Speaker do now leave the Chair."

LIFE SENTENCES.—QUESTION.

MR. HIBBERT rose to call attention to the present mode of carrying out life sentences, and to ask the Secretary of State for the Home Department, Whether, having in view the immediate discontinuance of transportation to Western Australia, and the proposal to substitute in many cases sentence of penal servitude for life for the punishment of death, he intends to make any better provision for the effectual treatment of such sentences. He believed that great progress had been made of late years in regard to penal legislation, and the treatment of criminals in prisons, and there had been a great tendency in their legislation to do away with capital punishment and add to the number of life sentences. When it was remembered that those sentences were applicable to the most hardened class of our offenders—to those who had their capital sentences commuted to penal servitude for life, and who had committed the most violent offences, such as burglary and the like, the House, he thought, would agree with him that those sentences ought to be carried out in a manner which was properly deterrent, and that those on whom they were passed ought not too easily or too soon to be thrown back into society. According to the rules laid down by the Directors of Convict Prisons, a different rule applied to those prisoners who were sentenced to penal servitude for life before the 12th of July, 1864, and those who had received such sentences after that date. The rule as to the first-class was this—

> "Convicts under sentence of penal servitude for life received on public works prior to the 12th of July, 1864, to be brought forward when they have served twelve years from date of conviction; but it is clearly and distinctly to be understood that, although no recommendation for release is to be made until after twelve years, no right of release at that period is to be conceded, nor is the expectation to be held out that it will be granted.".

The rule with regard to those convicts who had received life sentences since the 12th of July, 1864, was that no expectation of release from prison after a certain number of years should be held out to them, and that every case must be taken on its own merits. The rules of the system, however, were not observed in practice. According to the evidence of Colonel Henderson, the chairman of the Directors of Convict Prisons, every prisoner expected a remission of his sentence at the end of about twelve years. If the fact were so, it was quite time to consider whether that was a proper mode of dealing with sentences of that nature. Colonel Henderson was asked by the Capital Punishment Commission in 1864 whether they had then in their convict prisons in England a considerable number of persons under sentences of penal servitude for life. He answered "Yes:" and when further questioned whether all these persons had not hopes that, after some time, by their good conduct and industry, they would get out of prison, his reply was again in the affirmative; and he added that he believed it would take a century to prove to the criminal class that they were in earnest and that they would be kept locked up; not one of them would believe it. Colonel Henderson went on to say—

Mr. Hibbert

> "All those men now under sentence of penal servitude for life are told that they can expect no remission whatever; but they do not believe it; they know perfectly well that ten or twelve, or fourteen or fifteen years hence their cases will be brought forward, and that the crime will be almost forgotten; they are quite sure that something will happen, and that they will be released."

Captain Cartwright, Governor of Gloucester Prison, was asked—

> "Do you think that any of the convicts believe in the existence of such a thing as perpetual imprisonment under the present system?—No, they do not. They are perfectly aware that it will not be perpetual?—They are perfectly aware of it."

Similar testimony was borne by the Governor of the Portland Convict Prison. It was not the custom to retain these prisoners in confinement beyond twelve, fourteen, or fifteen years, even though they had been sentenced to penal servitude for the whole of their lives. All these convicts were placed under the separate system for nine months at one or other of the separate system prisons. They were then carried forward to the public works at Chatham, Portland, or some other public works prison. The whole system of public works prisons was based on the convict gaining his liberty at some future time by good conduct and industry. Therefore, if prisoners under these sentences were to be detained for life, it was impossible that they could be kept in the convict prisons and put upon public works, where the prisoners obtained their release after a certain period by their good conduct and industry. The system of our convict prisons was not intended, at the time it was established, for sentences of this kind. It was originally intended entirely for dealing with sentences of ten, twelve, fifteen, or twenty years, which were to be carried out on public works, with the chance of a remission of the term on account of industry and good conduct. Formerly we sent away criminals to the Australian or other colonies; but that system had ceased. Western Australia declined to receive any more convicts from this country, and for the future we must provide for their retention in this country. Sir Walter Crofton, a very able man, in the evidence which he gave before the Capital Punishment Commission) said—

> "3,554. The convict system in England, as established by Sir Joshua Jebb, was meant for an intermediate system?—It never contemplated keeping these men for life. Practically; if you have this class mixed up with others, they will be so accustomed to see stimulants to good conduct given in the way of tickets-of-leave, and other inducements, that they, not having anything of the

sort, would be likely to be very troublesome; whereas, if they were in a special prison by themselves, where they would not be surrounded by those kinds of stimulants, they would be content with any slight improvement in position; you can preserve hope among prisoners by taking them from very hard and distasteful labour and placing them gradually to industrial employment."

Again, when asked—

"3,549. What do you suggest is the proper place? He said, I should keep them in prisons by themselves. I am firmly convinced, from my own personal experience, that almost all serious and successful assaults upon prison officers arise from negligence or carelessness on their own part, or from the want of what has been termed 'individualization,' or study of the individual character of the prisoners; so that many of them are placed in situations and at work from which they should have been carefully excluded. The danger of successful murderous assaults on officers will be found absolutely nothing under a judicious management."

But two distinct objections were advanced against the detention of persons in prison for life. It was said that it would be hard to confine a man without holding out to him some hope of a remission of his sentence or some hope of some kind, because perpetual confinement with no other prospect before him would be dangerous to both his mental and physical health. In answer to that argument, he (Mr. Hibbert) might state, on the experience we had gained from our convict prison at Broadmoor, that there were on an average 100 prisoners kept in confinement at Broadmoor for nearly the whole of their lives without any such evil results being in their case produced. Another argument used against life confinements was this, it was contended that the safety of the warders would be endangered if they had to deal with prisoners sentenced to confinement for the whole of their lives. This argument was equally unsupported by experience. The number of the attacks made on the warders at Broadmoor did not, he believed, exceed those which were made on the officers of other prisons. He might add that in those instances in which such attacks were made his opinion was that they resulted from a neglect of the proper principles of treatment. A very able man, Captain Knight, formerly director of the Portland Prison, said he was perfectly convinced, after a long experience in such matters, that almost all the serious assaults which were made on the officers of prisons were in great measure due to their own carelessness, or from the want of what was termed "individualization." It was also shown by very important information which had been furnished by Sir Walter Crofton with respect to the prisons in Belgium and Baden, that the prisoners under life sentences there underwent long periods of solitary confinement, if judiciously treated, with little or no mental or bodily deterioration. The information which was furnished by Captain Knight with respect to the prisons of Louvaine, Ghent, and Namur, was still more important. Several prisoners were reported as having been subjected in those prisons to confinement for periods ranging from ten to twenty-five years, and one thirty-three years, without having their physical or mental health in any way injured. At Baden prisoners for life passed the first six years in solitary confinement, and that treatment was continued after that period if a prisoner wished it. At present there were six prisoners there under life sentences who were kept in solitary confinement, one of whom had been under that treatment for fifteen years, another for nine years, but their mental and bodily health had not suffered. Twelve other convicts had been in prison from twelve to fifteen years—they enjoyed good health mentally and bodily and were by no means depressed. Colonel Henderson said he might add that prisoners without the hope of liberty could only be confined in ordinary convict prisons by treating them as wild beasts in the Zoological Gardens. But, when asked if they could be kept in a prison apart from other convicts, under a separate provision, he stated that that could be done. The question which he had brought under the notice of the House was all the more important that the system of transportation was being done away with. He found that during the last six years 98 life sentences had been passed in this country, while 62 capital sentences had been commuted into life sentences, making altogether 160 which came under the latter head. Now, it was no easy matter to deal with so large a number of prisoners of that class. In 1856 no less than 31 convicts under life sentences were sent to West Australia, there being already there 83, so that there were thus 114 of those prisoners taken off our hands. Colonel Henderson, indeed, said in his Report for 1865 that there were only 81 life-sentenced convicts in the English prisons, 51 of whom were invalids. It was difficult to get at the exact number, but let him suppose there were only 81—it might very fairly be assumed that the state of things would be very different for the future. Owing, as he had said before, to the abandonment of transportation to West Australia we would have to deal with an increasing number of those convicts at home, while the tendency to do away with capital punishment, except in extreme cases, would also operate in the same direction. Under those circumstances, he felt assured his right hon. Friend the Home Secretary and the House would concur with him in the opinion that it was highly desirable our penal system should be established on a sound basis and on large and intelligible principles. We had been going on very well of late years, building up a penal system which had obtained the approval of the French Government, whose Commissioner sent over to inquire into its working had reported favourably with regard to it. He hoped his right hon. Friend would not hesitate to do everything in his power to render it still more worthy of the country. He begged, in conclusion, to ask him, Whether, having in view the immediate discontinuance of transportation to Western Australia, and the proposal to substitute in many cases sentence of penal servitude for life for the punishment of death, he intends to make any better provision for the effectual treatment of such sentences?

Mr. GILPIN said, it was impossible to overrate the importance of this subject, which he thanked the hon. Gentleman for having brought forward. He most emphatically agreed with the hon. Gentleman that the tendency of our legislation was towards, and would very shortly culminate in, the abolition of capital punishment, though a few antediluvians still clung to the belief that it was the great protector of our lives and liberties, just as the Judges of old believed that the jibbet was necessary to prevent stealing from a dwelling-house to the value of 40*s.* But just as he believed that capital punishment would soon be abolished, so to the same extent did he believe in the necessity for the establishment of such a system of secondary punishment as should act as a deterrent from crime. He was not one of those who could be charged with sentimentality in advocating the abolition of capital punishment; but he desired to prevent crime, and that the Judges should really mean what they said when they sentenced criminals to longer or shorter terms of imprisonment. The object of punishment should be threefold—first, the protection and security of society; secondly, the reformation of the offender; and, in the third place, any system should be deprecated which absolutely shut out all hope from the criminal, however abandoned he might be. And when he said "hope," he did not mean the hope of freedom; there were other sources of hope for prisoners. He did not say that the prison doors should ever be opened again to the worst class of criminals; but even to them there should be offered the opportunity of getting their prison condition improved in consequence of their good conduct in prison. He trusted that our future legislation would have the tendency to make the sentences that were passed real instead of merely nominal, and that the exception and not the rule should be to make the sentence less severe than the Judge had pronounced in open court.

Mr. DENMAN said, he took a great interest in the question. At the last Social Science Congress held in Manchester in the autumn, he presided over the Jurisprudence Department of the old Law Amendment Society, which had been included within the scope of the Congress; and, on that occasion, at a meeting of one of the sections, presided over by the hon. Member for Middlesex (Mr. Hanbury), Sir Walter Crofton read a paper on this subject, which led to a very interesting and able discussion, in which a great number of those best acquainted with the subject took part. The result was that a large and very intelligent meeting came to a strong and almost unanimous resolution that the proposition now brought to the notice of the House was one that ought to be adopted as part of the law. There were, at the present moment, reasons of the greatest urgency why that should be done. One was that the old system of transportation to Western Australia was at an end; and another was, as he had heard Judges over and over again declare, that it was a great derogation to their high judicial office that they should be obliged to pass sentences of penal servitude or imprisonment for life, which they, and the jury, and the audience, and the prisoners, perfectly well knew would never be carried out. That was a mischief which tended to bring the law into contempt. The present was a fitting time to bring the question forward, because Parliament was on the verge now of considering carefully a Bill to limit the number of offences to which capital punishment should be applicable; and it was absolutely essential that the question which had been introduced that evening should also at the same time, and in view of such a change, receive consideration. If the Bill became law, a great additional number of life sentences would be passed; and it was admitted on all hands that prisoners on life sentences, if placed with other prisoners not sentenced for life, and if deprived of all hope of obtaining, as the others might, a diminution of their sentence, or of procuring better treatment for themselves, in consequence of good behaviour, would be rendered unmanageable; but, if separated from the rest, their health would not suffer, and they could be induced by the hope of improvements in their condition, short of the recovery of their liberty, to behave themselves well.

MR. THOMAS CHAMBERS said, he was present at the discussion in Manchester which had been referred to by his hon. and learned Friend (Mr. Denman), and he listened for three or four hours until his blood ran cold at the elaborate descriptions of the system which was now proposed for adoption. The arguments in favour of the suggested change implied an absolute alteration in the present system of punishments. As long as transportation to the colonies could be continued it was known that the prisoners, if they behaved well, would obtain tickets-of-leave; and though they could not return to this country, they regained their liberty, and they or their children sometimes reached the highest positions in the colonies to which they had been sent. But since the convicts had been retained at home thousands of persons had been sentenced to penal servitude and transportation for life, but the sentence was never literally and exactly carried out, and no Judge who uttered it ever imagined that it would be. There had never been any false pretence about the matter as has been alleged, and no Judge had ever been wronged, or ever thought himself wronged, by the remission of the sentence. It might be doubted whether the public knew as well as the Judge did that the sentence would not be strictly carried out; and therefore the sentence when pronounced in court might have its full deterrent effect. But now, under the pretext of altering the administrative arrangements for carrying out the criminal law, Parliament was asked to make a substantial alteration in the system of punishment in this country. It was proposed that a man sentenced to imprisonment for life should have that sentence strictly carried out; and a man so convicted would be left without hope—except such hope as it was suggested he would get from the prospect of an alteration in the circumstances of his confinement—the lightening of his fetters or of his labours—the confinement itself, however, lasting until his death. Nothing could be more unequal or unfair than that proposal which might condemn the young prisoner to sixty or seventy years of dreary imprisonment, while the old prisoner would die in a year or two after his sentence, and so escape. The principle of the English law had hitherto been to improve a prisoner under the influence of hope; but here was a new doctrine seeking to improve him without the use of that great agent for reformation. The proposal with all its surroundings was a step back towards barbarism, and not an advance in civilization, nor was there any excuse for the change. He contended that murder was almost invariably the single crime of a life. A man who might in every respect be good and exemplary—a good husband, a good father, a good neighbour—from some motive or impulse might be hurried into committing a murder, and for that he very justly forfeited his life; now, however, the law said to its administrators that the capital sentence might safely be done away with; but was it therefore necessary that a man who had committed a murder and whose sentence was imprisonment and not death should be kept in prison forty or fifty years without being allowed even the hope of getting out? Would any man say that it was probable if he should come out of prison that he would go and commit another murder? The pickpocket who was imprisoned and then let out again might very naturally return, and very frequently did return, to his former evil courses; but the man who committed murder was not at all likely to commit another if he were liberated. There was no danger or peril to society in letting such a man out of prison after he had been confined some time; and he could not therefore see why this stringent rule of confinement for life should not be relaxed. It appeared to him that some of the arguments used in favour of this proposal were the strongest arguments against it. It was said by those who were advocating such a course that if sentence of death was commuted into penal servitude for life it would take a hundred years to make the convicts comprehend that this sentence would not be further commuted to a sentence of imprisonment for years. It was satisfactory, however, to find that there was such faith in the clemency of the Crown that the convict who deserved the clemency of the Crown would get it, and he rejoiced that to root out that conviction from the mind of the convict would be no easy matter. Those men who were sentenced to penal servitude for life were to be kept like wild beasts in a menagerie. The effect of that would be most disastrous. The prison would in that case become a hell upon earth, because the very meaning of hell was a place whence hope was excluded. All hope of release was to be taken away from the convicts, which would reduce them to a condition that could not easily be imagined. Even those who favoured such a scheme acknowledged this, for they gave colour to the belief that the warders' lives would be endangered in having to take charge of men rendered desperate by despair of release, by making certain provisions which it was hoped would secure the warders from personal violence. One great and convincing argument against such a system was that men could not live under such circumstances. Mind and body would break down under a system so remorseless as this. The experiment, it was said, had been tried on the Continent to what extent they could inflict prolonged pain without destroying life. He hoped such an objectionable experiment would not be carried out in this country. The object of punishment was to protect society against crime and its consequences; but if care were not exercised we might establish a system of punishments which would re-act most unfavourably upon the moral tone of this country. Flogging, for instance, was a punishment which he should be sorry to see permanently established as a punishment in this country, not because he sympathized with the men who were to be flogged, but because he sympathized with the warders who were to inflict it, and with the public who had to read most revolting descriptions of the punishment. Another argument against the employment of extreme punishments was that crime was not increasing in this country, and that cruel and violent crimes—such as burglary with violence, and highway robbery with violence—were rapidly diminishing. For one burglary where the parties in the house were put in terror there were twenty where it was a merely secret entry; whereas burglaries used to be committed by half-a-dozen men with crape over their faces and bludgeons in their hands, and the utmost violence was used to the parties in the house. Extreme punishments were therefore not wanted to deter from crime. The nation was advancing favourably in this respect, and unfortunate indeed would it be if they should set up an entirely novel system of punishment, excluding hope and inflicting as much pain as possible, and for as long a time as possible, only not mitigating, not moderating, but graduating it to such a nicety as just to preclude the escape of the wretched victims from their tortures by dying.

The O'CONOR DON said, he took a great interest in this question, and desired to point out that the hon. Member's (Mr. Hibbert's) proposition went to this extent only, that remission of life sentences should be made the exception, instead of being the rule, as it was at present. He could not help thinking the great desideratum was that it should be known what would be the effect of the sentences as pronounced by the Judge, and that the public at large should know what it meant. This was not the case at present. When a man was sentenced for only a certain period people knew what his punishment would be; but when he was sentenced for life they did not know. Up to the year 1864, the rule as regarded life sentences was that during the first twelve years of his imprisonment the convict could expect no remission, but that after that time the sentence would be taken into consideration and might be commuted. The result was that men sentenced to penal servitude for life got released sooner than men who had only been sentenced for twenty years. This was a great anomaly; and the alteration proposed was not a subversion of our criminal system, but carried it out to its logical conclusion.

Mr. WALPOLE: In order to discuss this question in a fair manner, I think it may be as well to pay attention to what is the present state of the law—or rather the practice—as applicable to the existing state of things, and what will be the state of the law if the alterations be made in it proposed by the measures now before Parliament. The two questions are quite distinct. With regard to the first question the hon. Gentleman (Mr. Hibbert) is not quite accurate in his representation of the state of the law as regards life sentences. It is perfectly true that from the year 1857 down to the year 1864 the practice with respect to life sentences was that they should be brought forward for the consideration of the Home Secretary at the end of twelve years, although it did not necessarily follow that any immediate action should be then taken upon them. But this is not the present practice. When last year I succeeded to the office which I have now the honour to hold, I found that the right hon. Gentleman who preceded me (Sir George Grey) had had his attention drawn to the question whether twelve years was the proper period at which life sentences should be brought forward for further consideration, and that he had given a qualified approval—which met with my concurrence—to the proposition that life sentences should not be brought forward for the consideration of the Home Secretary until twenty years after they had been passed. The state of the practice under the present law is therefore much more severe than it was three years ago. The reason for this alteration is unanswerable, and has been pointed out by the hon. Gentleman who has just sat down (The O'Conor Don). According to the present practice a convict who has been sentenced to twenty years is not entitled to a remission until the end of fifteen years; and a man sentenced to twenty-four years is not so entitled until the expiration of eighteen years; and it appears to me that it is most unjustifiable that a man on whom has been passed what purports to be a much heavier sentence—imprisonment for life—should have it commuted at the end of a shorter period. The Secretary of State for the Home Department has three things to look at in the remission of sentences. In the first place, they have to take into consideration the heinousness of the crime committed; and this very year I have refused to look into case after case upon the ground of the enormity of the crime committed by the convict whose case was sent up for remission. In the second place, the Home Secretary has to look at the conduct of the convict in prison; and thirdly, he has to take into consideration the health or age of the convict, or any other peculiar character the case may present which may constitute a reason for the remission of the sentence. I need scarcely point out that as under the present practice a life sentence cannot, as a matter of course, be brought up for remission until after a period of twenty years it constitutes a most terrible punishment. With reference to the number of life sentences, I may observe that there exists some misapprehension. I have been much surprised at the small number of cases in which such sentences are pronounced. Thus, in the year 1865, there were only eleven, and in the year 1866, there were only sixteen instances in which convicts were sentenced to confinement for life; while the total number of convicts in England subject to such a punishment is only eighty-one—a state of things which is very different to what is generally supposed to exist. Of these there were sixty-three, who, from age or state of health, it had not been practicable to transport. That being the state of the law as it stands at present, a very difficult question arises as to whether any and, if so, what alteration can possibly be made in the law when transportation has been discontinued, which will, in all probability, be the case at the end of the coming summer. A ship was dispatched to West Australia the other day with 250 convicts; and probably another ship, which would be the last dispatched, would carry out about 280 more. When that event takes place the question will arise as to what is to be done with our convicts who have been guilty of the graver offences. When I had to consider this question in 1852, it was then represented that it would be necessary to secure some place near the United Kingdom—Lundy Island was at one time thought of—where the worst class of convicts might be sent, and where they could be placed under a more severe discipline and punishment than those who had been convicted of lesser offences. That, however, is a matter for future consideration, although at the time it was made, I thought the suggestion was a proper one. Some such system ought, I think, to be adopted, especially with regard to convicts who, having had their life sentences remitted, have afterwards forfeited their right to be at large. I must further say a few words as to the mode in which life sentences ought to be carried out. Life sentences are now passed for the crimes of murder, attempts to murder, manslaughter, rape, arson, and one or two other offences. Persons convicted of these different crimes are, have been, and should be, dealt with in precisely the same manner. Therefore, I think, some discretion should be given to the Secretary of State as to the principle upon which these sentences, passed upon convicts whose crimes must necessarily vary somewhat in degree, should be carried out. I own I rather shrink from the notion that you are to lay down a rule by Act of Parliament which is to be inflexible under any circumstances. It must not be forgotten that if you destroy hope you destroy one of the great objects of punishment—namely, the reformation of the offender. I therefore think that no better rule can be adopted than to say that these life sentences shall not be brought up for remission until after a period of twenty years, and I would then leave the Minister who has to administer the law with reference to this subject free to exercise his discretion in the matter, to take into consideration all the circumstances of the individual case brought before him, and to decide whether the convict should remain in prison for life, or whether his sentence might be properly commuted. The conclusions I have come to upon this subject are that it is desirable, in view of the alteration in our convict system about to be introduced in consequence of the abolition of transportation, we should have some penal establishment near this country, where we can send the worst class of offenders; and secondly, that some discretion should be left to the Minister who has to administer the law with regard to the remission of life sentences, so that the prisoner should not be left entirely without hope in case he redeems his character after undergoing punishment for a long period. But, in saying this, let it not be understood that I have made up my mind upon either of these points absolutely, since, before any practical decision can be arrived at, the whole matter must undergo very careful consideration.

Mr. SULLIVAN said, he did not understand the hon. Member for Oldham (Mr. Hibbert) to object to any remission of life sentences, but merely to propose that in cases where those sentences had to be carried out in their entirety a separate place of confinement should be provided for those undergoing penal servitude for life. He had no desire to aggravate that punishment, or to lay down any rule by which the exercise of the prerogative of the Crown in remitting the punishment was to be controlled. He had risen for the purpose of calling the attention of the Home Secretary to a Return laid upon the table of that House in 1865 in relation to penal servitude in Ireland, which showed the number of prisoners undergoing penal servitude for life, the crimes for which that sentence had been awarded, and the number of cases in which the punishment of death had been remitted to that of penal servitude. It appeared from that Return that on the 14th of June, 1865, out of thirty-eight persons who were then undergoing penal servitude for life, ten of these had been found guilty of murder, and sentenced to death, but their sentences had been commuted; one was a case of manslaughter. Of the remaining twenty-seven persons eight were for crimes of violence to the person, two had been convicted of having base coin in their possession after a previous conviction, one for sheep stealing, after a previous felony. One was for robbery from the person, two for highway robbery, one for sacrilege, four for burglary, one for burglary and robbery, and others for robbery. If therefore, as had been suggested, it were made an inflexible rule that no application for the remission of life sentences should be entertained till after twenty years, it would operate very harshly on prisoners whose offences had been of a much less serious character than murder. He felt no hesitation in saying that, in many of the cases set out in the Return, no such sentence as that of penal servitude for life ought ever to have been passed. With regard to persons who had given such reins to their passions as wilfully to take the life of a fellow-creature, he thought they could rarely be allowed to regain their liberty, and that their confinement was necessary for the protection of society. He believed that the subjects of life sentences were humanely treated, and that there was no reason to fear the infliction of the severities deprecated by the hon. and learned Member for Marylebone (Mr. Chambers.)

BRITISH TROOPS IN NEW ZEALAND.

OBSERVATIONS.

Mr. GORST said, he rose to call the attention of the House to the proposal to maintain permanently a British regiment in New Zealand. The House had been informed by the right hon. Gentleman (Mr. Adderley) that it was proposed to excuse the colony from bearing the cost of that regiment on condition of its voting £50,000 a year for Native purposes. An item of between £60,000 and £70,000 accordingly appeared in the Estimates for the support of that force, and he presumed that in the event of further disturbances the cost would be considerably increased. He regarded that expenditure both as unnecessary and as positively injurious to the colony; but, as the right hon. Gentleman had promised to lay on the table papers on the subject, he would now content himself with apologizing for having troubled the House, and with asking when those papers would be ready, in order that he might renew his notice on a future occasion.

MR. ADDERLEY said, the question was one of no inconsiderable importance, and the hon. Gentleman had no need to apologize for calling attention to this matter, there being no Member of the House better acquainted with the affairs of New Zealand than he was. The Correspondence was already in the hands of the printer, and he hoped that in about ten days it would be laid on the table of the House. There were in November last 4,000 British soldiers in the colony, but orders had been sent for 3,000 to leave, and they had probably done so, only one regiment remaining. That arrangement for the retention of one regiment at the cost of this country, however, was only temporary, the facts being these:—In 1860 the colony made a proposal to pay the Imperial Treasury £5 per head for all the troops in New Zealand, and that proposal was accepted. In 1861, the Governor, Sir George Grey, sent home a plan for the amelioration of the condition of the Native population, the estimated cost being £50,000 a year, upon which the Government returned the £5 head money in part payment of that sum. In 1864 the late Colonial Secretary, in dealing with the question of guaranteeing a loan of £1,000,000 to New Zealand, proposed that, save as to one regiment, New Zealand should come under the same arrangement which prevailed in the case of Australia, and should pay £40 per head for infantry, and £55 for artillery; but that, in consideration of the attitude of the Native population, one regiment should be maintained, not permanently but temporarily, by the Imperial Treasury, the £50,000 annually for Native purposes being defrayed by the colony as long as that regiment remained. In 1865 a resolution was passed by the Colonial Legislature, which was interpreted as declining to pay that rate for the troops, and much correspondence had ensued, the result being that only one regiment would remain. Many of the colonists, including Mr. Weld when Prime Minister, were adverse to the stay even of that regiment, and the present Ministry, though they had not displayed so strong a feeling, appeared anxious to develop the self-reliance of the colony. Indeed, he was bound to say that no colony had shown a higher spirit, both in money matters and in undertaking its own defence, than New Zealand. The present arrangement, and also the question of the debt owing by the colony to the Imperial Treasury, were both open to reconsideration. He hoped to be able to lay on the table the papers referred to in the course of the ensuing week, or early in the week following.

MR. CARDWELL said, he desired to add one word to what had been correctly stated by his right hon. Friend. Three years ago there were more than 10,000 men in New Zealand who were spending £1,000,000 a year. A large debt was then running up from the colony to the Imperial Treasury, and in addition the colony applied to the Home Government to guarantee a loan of £3,000,000. The arrangement made was that the Government should guarantee not £3,000,000, but £1,000,000; that the troops, if they remained, should be paid for by the colony at the rate of the payment made by the Australian colonies, and that the debt should be closed and liquidated. This arrangement was not only laid upon the table, but the House, approving it, required that it should be embodied in the statute. The result was that the colonists determined to pray for the recall of the Queen's troops, and they had accordingly been recalled. He was only sorry that any portion of them still remained in New Zealand; but for any beyond one regiment that remained permanently, the full amount of the head money agreed to be paid for troops in Australia was to be paid. It was, however, thought that under the circumstances of the Native population, it would be unreasonable to recall all the troops, and one regiment was to remain, to be maintained at the Imperial expense, on condition that the colony continued to devote £50,000 a year to Native purposes. The arrangement was, on the face of it, liable to revision at a future time; and if the colony of New Zealand did not desire any longer to insist on the terms, no doubt the English Parliament would be willing to re-consider the arrangement.

SHIPPING RETURNS.—OBSERVATIONS.

MR. CANDLISH said, he rose to call attention to a Return of "the number and tonnage of Vessels entered inwards and cleared outwards at each of the twelve principal Ports of the United Kingdom, &c.," during the year 1865; and to move for Returns showing the number of Vessels and tonnage entered inwards and cleared outwards at each of the twelve Ports of the United Kingdom at which the aggregate tonnage entered and cleared has been largest during the year 1866; of the official and declared value of Imports and Exports at each of the twelve ports of the United Kingdom at which the aggregate of such Exports and Imports has been largest during the year 1866; and of the number of Vessels and amount of tonnage registered at each of the twelve Ports of the United Kingdom at which the largest amount of tonnage was registered on the 31st day of December, 1866. The Return in question was in many respects inaccurate, and calculated to lead to erroneous conclusions. It referred to "the twelve principal Ports of the United Kingdom;" but the House would be surprised to learn that only seven of the Reports named in the Return came under that designation. The remaining five ports were inferior, as to tonnage and clearance, to the ports of Cardiff, Sunderland, Hartlepool, Swansea, and Grimsby. In several other respects, also, the Return was inaccurate. The entrances and clearances at the port he had the honour to represent (Sunderland) were larger than the entrances and clearances of five of the ports included in the Return. The same observation applied to other ports which were omitted, and the test of tonnage gave a similar result. If the Return were again moved for he hoped it would be so modified as to convey an accurate idea of the facts.

Mr. STEPHEN CAVE said, that the speech of the hon. Member for Sunderland proved, he thought, one thing—namely, the inexpediency of granting so easily many of the Returns for which Motions were annually made by Members of that House. The attention of the House ought to be directed to that question of unopposed Returns. In his humble opinion there should be some hesitation in asking for and in granting Returns which were only intended to serve a particular purpose of perhaps no general interest, as well as those which were contained in books in the Library or in annual Reports laid before Parliament and distributed among Members. The practice was a growing one, and one which had caused much anxiety to his hon. Friend the Secretary of the Treasury, as entailing a heavy expense upon the country. That Return, for instance, to which the hon. Member had not without reason taken exception, was moved for many years ago and had been continued every year since. He was sorry it was so continued. It always had been, and must still be, incomplete; and, whatever might have been the case originally, the title of it certainly was incorrect now. Those ports having been once selected, the Return seemed kept for comparison with former years. The expense of printing those Returns was, as he had said, very great; but that represented a very small part of the whole cost of the country. In the Customs and other Departments a special staff was obliged to be maintained for that exceptional work, in order that the regular work of the office might not be delayed. Now, the annual statement of trade and navigation distributed to every Member of Parliament and to every Chamber of Commerce throughout the country contained the following particulars:—1, Number and tonnage of vessels entered at each port in the United Kingdom; 2, number and tonnage of vessels under as well as above fifty tons registered at each port; 3, the value of exports at each port; and 4, the amount of Customs duty received at each port, besides much other information. The only Return for which the hon. Member moved which he had not enumerated as given in these statistical tables was that of the official value of imports and exports, which, as the hon. Gentleman would see from a note to the Return of which he complained, could not be given without enormous labour and expense, as the value had never been computed except for imports and exports of the kingdom at large. He found no fault with the hon. Member's objection to the title "principal ports." It was very difficult to define principal ports in such Returns. Some ports had more vessels entered and cleared and less registered tonnage, and to take one and omit the other would give rise to jealousy. For instance, at Cardiff there were, according to last Returns, only 121 ships of 18,481 tons registered, and 5,970 ships of 1,921,030 tons entered and cleared. At Bristol there were 388 ships of 62,155 tons registered, and only 1,291 ships of 333,589 tons entered and cleared. Many ships were registered at the place where the owner resided. Many, for instance, were registered in London which were not built there and never traded from it; and registers were transferred from port to port by a simple letter to the Customs. Again, Bristol imported a great deal and exported little. The great coal ports did exactly the contrary. Nor was Customs duty a criterion. A sugar port would figure far above its proper rank. Nor was value less delusive. Then there were disputes about the area which Returns ought to include. Newcastle thought the aggregate of the Tyne should be given; Shields that the ports should figure separately. If the Government listened to all appeals for alterations, the expense, trouble, and delay would be immense. He was glad the hon. Member did not press his Motion, as it would be impossible to give all the Returns he wished; but he would undertake to confer with the hon. Member for Liverpool (who was unhappily absent on account of a domestic calamity), and either discontinue altogether the Returns of which the hon. Gentleman complained, which, he thought, would be the best plan, or alter the title, which, he quite agreed with the hon. Member, was inaccurate and calculated to mislead.

IRELAND—RAILWAYS.—RESOLUTION.

MR. BLAKE said, he rose to call attention to the Act of last Session intituled "The Railway Companies (Ireland) Temporary Advances Act, 1866," and to move that it is the opinion of this House that, with a view of affording to Irish Railways the full relief contemplated by the said Act, it is expedient, under existing circumstances, that the Lords Commissioners of Her Majesty's Treasury should exercise the powers conferred on them under the fourth Section, by directing that the period within which temporary advances should be made be extended to the maximum period allowed by the Act. He felt it was rather a novel proceeding to ask the House to express its opinion that an important public Department should do its duty by carrying into effect the manifest intention of both Houses of Legislature as expressed in an Act of Parliament. He would not have troubled the House with this matter only that he had exhausted every means to try and induce the Treasury to do what he considered they ought in conformity with the spirit of the Act referred to. He came before the House on behalf and at the express desire of very large railway interests in Ireland to ask that what was determined on by Parliament last year should be carried into the full effect intended. Towards the close of last Session, in consequence of the very strong representations made of the difficulties in which several Irish railway companies were placed, owing to the general money panic, but more particularly to the want of confidence in all Irish securities in consequence of the Fenian conspiracy, the late Administration resolved to bring in a Bill to temporarily assist Irish lines in their emergency to the extent of £500,000. The 4th clause would explain the terms on which the loans were granted—

> "1. Every Loan shall be made either for the Purpose of discharging the Principal of Money temporarily borrowed and actually applied within Three Calendar Months before the passing of this Act in discharging Principal Money secured by any Debentures or other Securities of the Company duly issued before the passing of this Act pursuant to the Acts relating to the Company, or for the Purpose of discharging the Principal Money secured on any such Debentures or other Securities due at the Time of the passing of this Act, or falling due within Three Calendar Months afterwards, or within such further Period not exceeding Twelve Calendar Months from the passing of this Act as the Commissioners of Her Majesty's Treasury may from Time to Time direct."

This Act was subsequently passed by the present Government. By the 4th clause the Public Works Loan Commissioners, at whose disposal the money was placed, were authorized on their own responsibility to advance loans due on debentures falling due within three months after the passing of the Act. All debentures due at periods beyond that time could not be liquidated by Government advances unless by the express sanction of the Treasury. The Loan Commissioners made advances when they deemed the security satisfactory to the full extent allowed them, but the whole sum lent by them for bonds falling due within three months after the passing of the Act was, he believed, under £200,000. Therefore, fully £300,000 of the sum voted by Parliament remained undisposed of, the greater portion of the debenture debt being due at periods beyond the three months. Under these circumstances, the Treasury was applied to to exercise the powers vested in it to grant loans for debts falling due beyond the period within which the Loan Commissioners were empowered to act. To the surprise, however, of the applicants, the Treasury refused to exercise their powers for the purpose. He (Mr. Blake) had some interviews with the Secretary to remonstrate against this decision, but without effect. The reasons assigned by the right hon. Gentleman (and which, he supposed, would be again advanced that night as he had resolved to oppose the

Motion) were, that the chief reason Government recommended Parliament to grant the aid to Irish railways was in consequence of the high rate of interest at the time the Act was passed, fully 10 per cent, but that, as it was now down to 2½ per cent, railway companies, if their security was good, ought to go to the money-market to supply their wants; and that the fact of being now willing to give the Government 4 or 5 per cent went far to prove that the security offered was not unexceptionable. He (Mr. Blake) denied altogether the accuracy of the assertion of the Secretary to the Treasury that the high rate of interest was the chief reason why Government recommended aid to be given to Irish railways, and would refer to the hon. Gentleman's own speech when the subject was under discussion, to show that it was not the principal plea which Government put forward to induce the House to comply with their recommendation. He would now endeavour to show that, in a strictly financial point of view, railways were not in a better position at present than they were when the Bill was passed to obtain loans on debenture bonds. These securities partook very much of the character of investments, and in the height of the money panic the interest on good investments was not beyond what it was now. But Irish railways, in common with similar securities in England, even if no political causes had existed at all to depreciate the value of the former, were in a much worse position to raise money than they were six months ago. The decision of Baron Cairns respecting debenture bonds had so reduced their value as a security that nearly every one having them, except in very prosperous lines, were trying to realize often at a very large loss, and few would be induced to touch them. In this respect Irish lines suffered in common with those of England; but in addition companies in Ireland had their property depreciated in consequence of the Fenian disturbances, and in that respect were much worse than when the Bill passed. If the existence of Fenianism was a good reason when the Bill passed for making concessions to Irish railways, it could now be advanced with additional force as an argument for giving full effect to the spirit of the Act, which the Treasury resolutely refused to do. The Fenian threatenings in 1866 had culminated in actual outbreak in 1867, and had made matters, with regard to Irish securities, especially railway property, much worse—and in consequence the companies found it quite impossible to get their debenture bonds taken up at interest they could offer; it was not a question of interest but of confidence, and there was an absence of that to an extent that left many companies unable to meet their liabilities. [The hon. MEMBER having read portions of the debate of last Session to show that Fenianism was a chief ground of the Bill then introduced, proceeded to say.] He supposed they were now satisfied that the rate at which Fenianism was going on in June last, and not the rate of interest, was the main reason for the introduction and passing of the Act. Now, what was the present position of matters? True discounts had gone down, but cetainly Fenianism had gone up. The gracious Speech of Her Majesty at the opening of Parliament announced that Ireland had become so tranquil that the Suspension of the Habeas Corpus Act would be removed. In little more than a week there was open rebellion in Kerry. That was suppressed, and half-a-dozen, or perhaps a dozen, similar demonstrations took place in different parts of Ireland, which surprised every one, and, he believed, none more than the Government, as they evidently did not expect so practical a denial of their statement, that Ireland had become tranquil and well affected. The effect on money-lenders was such as might be expected—they closed their coffers so far as Ireland was concerned, wisely remarking that when Government were so much out in their calculations about Ireland they would not venture their money there. The most sensitive of all sensitive things was capital, and on the present occasion it shrank from coming in contact with Fenianism. The directors of many of those lines had pledged their own personal security for large amounts to sustain their companies—in one instance to the extent of £60,000; but there must be a limit somewhere to men involving themselves personally for matters in which they were only interested as shareholders, probably to an extent far below the heavy liabilities they undertook, to save from destruction the undertakings in their charge. They had, through him, appealed to the Treasury to help them through their difficulties by simply carrying out the Act of last Session, but had been refused; and he seriously warned the House and Government that, if the application then made failed, the consequences would probably prove most disastrous to the country, and even to the Government itself, as some of the lines applying for aid were in the centre of the scene of the Fenian disturbances. The Secretary of the Treasury told him that without a vote of the House the Treasury would not relax their determination; and he (Mr. Blake) confidently appealed to the House, for the sake of the important interests involved, to confirm the wise and previous decision they came to last Session with regard to sustaining Irish railways in their struggle with difficulties caused by the exceptional circumstances in which they were unfortunately placed by difficulties for which neither proprietors or directors were accountable.

MR. POLLARD-URQUHART seconded the Motion. He wished to guard himself against the supposition that he was suing for the Irish railways *in formâ pauperis.* There were peculiar circumstances which existed now which did not exist at the commencement of this undertaking. Great part of the hostility of the malcontents seemed to be directed against railways, and therefore the value of railway property was peculiarly affected by this unfortunate conspiracy. Then another thing which had depreciated the value of railway property was the recent decision of Lord Justice Cairns. He contended that these two reasons were quite sufficient to justify himself and his friends in asking that the Act of last Session should be carried out in no niggard spirit. In conclusion, he would express the hope that the Government would give a favourable consideration to the Motion which had been made.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "it is the opinion of this House that, with a view to affording to Irish Railways the full relief contemplated by the Act of last Session, intituled, 'The Railway Companies (Ireland) Temporary Advances Act, 1866,' it is expedient, under existing circumstances, that the Lords Commissioners of Her Majesty's Treasury should exercise the powers conferred on them under the fourth Section, by directing that the period within which temporary advances should be made be extended to the maximum period allowed by the Act,"—(*Mr. Blake,*)

—instead thereof.

Question proposed, "That the words proposed to be left out stand part of the Question."

MR. HUNT said, that the Act, the operation of which the hon. Gentleman asked the Government to extend, was one of a very exceptionable and peculiar nature, it being an Act to enable the Government to advance money to Irish railway companies to pay off debt. Previously to its passing he was not aware of any case in which public money had been advanced, except for the execution of works. The policy of successive Governments in late years had been to lend money at a low rate of interest to promote public improvements; but he believed that the Act he had just referred to was the first instance where public money had been advanced to pay off debts. It was regarded with jealousy when introduced, and the right hon. Member for Oxfordshire (Mr. Henley) observed at the time that the measure required to be watched, or it would form a dangerous precedent. The circumstances under which the late Government undertook to introduce the measure were set forth in two Treasury Minutes laid on the table of the House last year. The first Minute was dated May 24, and it began with a statement that a deputation consisting of gentlemen largely interested in Irish railways waited on Earl Russell and the Chancellor of the Exchequer, and represented that, in consequence of the then existing monetary derangement, it was not only impossible for these railway companies generally to obtain money for the works in progress on reasonable terms, but that many of them were called upon to repay at a short notice large sums borrowed on mortgage and other security for the prosecution of their works; that Earl Russell and Mr. Gladstone found difficulty in adopting any scheme of a permanent nature affecting railways in Ireland until the Royal Commission on Railways should have made their Report; but that this objection would not apply with equal force to temporary measures taken in view especially of the existing derangement of the money-market; and they recommend that the Public Works Loan Commissioners should be authorized to advance during the next three months on the security of debentures already issued, and being overdue or falling due within that time, sums not exceeding in the whole £500,000 for one year at a rate of interest not less than 4 per cent, upon being satisfied as to the sufficiency of the security offered. Before the expiration of the three months, it was likewise stated in the Minute, it would be open for consideration whether circumstances might render any further extension of the period advisable. He wished the

House to observe that the reason stated for the advance was the existence of derangement in the money-market — the Bank rate of discount, he believed, being 10 per cent when the Minute was framed, and when the Bill was brought in by the present Chancellor of the Exchequer and himself the Bank rate of discount was still at that figure. With respect to the question whether the period in which the debentures falling due were to be paid by money raised under the Act should be extended, there was a second Treasury Minute, dated June 15, which stated that another deputation had been to the Treasury and urged that the power of the Public Works Loan Commissioners to lend money should be continued by the Act for a period of three years, so as to enable any debenture falling due during that time to be taken up. The Minute went on to state that Mr. Childers said that should circumstances hereafter require an extension of the period, during which the lending and borrowing powers were to be exercised, it would seem the more proper course to seek from Parliament in a future Session an extension of the powers. When the Bill was introduced the Chancellor of the Exchequer rested the case for it, as the first Treasury Minute did, on the derangement of the money-market. The hon. Gentleman opposite (Mr. Blake) had said that he (Mr. Hunt) alluded to the Fenian disturbances. It was true that he did allude to them as aggravating the difficulties, but he did not rest the case solely on that ground—as he had said the main consideration was the state of the money-market. Now, what had taken place under the Act? The Public Works Loan Commissioners were solely to be the judges of the security, and had power to make advances without reference to the Treasury in all cases within the meaning of the Act, with this single exception—that they could not extend the time without Treasury sanction. £500,000 were destined for the purpose of the Act, and there had been applications for the loan to the extent of £926,089. Of that amount there had been refused on account of insufficiency of security applications for £226,992, and applications for £244,865 had been refused on account of not coming within the limit of the Act. Sums to the amount of £123,796 had been advanced, and loans which had been agreed to be advanced to the amount of £10,700 had not been taken up. In addition, one company had withdrawn their application.

Now what was the state of things when the time was about to expire? At that period the monetary derangement had entirely passed away, and the Bank rate of discount had fallen from 10 per cent to 4 or 4½ per cent. Therefore the monetary considerations which had induced the Government to introduce the Bill had entirely disappeared; and the view of the Government was, under the circumstances, that parties could go into the market for their money. He would mention a fact which confirmed the view of the Government on that point. A large sum of money was applied for by one of the companies in Ireland, and it was found on examination that a great part of the sum did not fall within the meaning of the Act. A certain portion, however — £34,000 — did fall within the time, and the Commissioners offered to advance that sum on the same terms as they advanced money to other companies—namely, at £5 per cent. The company then informed the Commissioners that in such case they declined the offer, as the public offered better terms. [An hon. MEMBER: What was the date?] The date of that transaction was the 30th of October; and this he contended was a confirmation of the propriety of the decision of the Government at the time that decision was taken. That being so, the House, he thought, would be of opinion that the Board were justified in the view they took that the exceptional state of things which induced the Government to bring in this Bill having passed away, they would not be justified in extending the time beyond the three months limited by the 4th clause. The Government took this view — that supposing the state of things existing now had existed when the measure was introduced, they would not have introduced it. The present Government would not, and he did not believe the late Government would have introduced it; and he might say the House would not, in his opinion, have assented to it, except under the exceptional circumstances then existing. The passing of the measure had, as many predicted, given rise to various applications for Government loans for various purposes; and this showed that his right hon. Friend (Mr. Henley) was quite right in saying that it would be a dangerous precedent. The other day a large and influential deputation waited on the Ministers of the Crown and applied for loans to pay off debts incurred in the construction of works of public utility; and they represented that they would be able by getting loans from the Government to save the high rate they were now paying for the money they had taken up in order to construct those works. Such a policy was *pessimi exempli,* and he heard of other applications about to be made, as if the Government were a great "Credit Company," bound to find money for all persons who could not get it elsewhere, or to lend at a lower than the current rate of interest in the market. He did not see any difference between Irish railways and certain English railways. It might be said the Fenian outbreak had affected the question. No doubt it did to a certain extent. We had no Fenian disturbance here, except at Chester, and that did not alarm us much; yet many railway companies in this country had great difficulty in taking up their debentures; and why should they mete one measure to Ireland and another to England? Supposing the House were of opinion that they ought to comply with the terms of the Motion, he confessed he did not see how they could resist applications from railway companies in this country. He thought the special circumstances attending the monetary crisis under which the Act was passed having entirely passed away, they would not have been justified in using the powers given under the Act, which were never intended for the state of things which now existed, but only applied to the contingency of the rate of interest keeping up during the Parliamentary recess. If they adopted this Resolution, he did not see how they could resist applications from other quarters of a similar nature, and he confessed the amount of such applications and the number of them would be perfectly appalling to any one filling the position he had the honour to do. He therefore hoped the House would not assent to the Motion, but leave the matter as it now stood on the decisions come to last October.

MR. LAWSON said, what his hon. Friend (Mr. Blake) asked was not to extend the operation of the Act, but to pass a Resolution that it is expedient that the Commissioners of the Treasury should act on powers already given by the Act of Parliament. The Secretary of the Treasury had spoken of applications from other companies; but he seemed entirely to forget that the English Companies had no Act of Parliament. The Legislature last Session passed an Act placing at the disposal of Irish railways, under certain conditions, a sum of £500,000 for taking up debentures falling due within three months after the passing of the Act, without application to the Treasury, and debentures falling due in twelve months subject to the approval of the Commissioners; and the only thing asked was that the Commissioners of the Treasury should exercise their discretion of granting these loans, although the debentures had fallen due at a longer period than three months after the passing of the Act. There was no possible danger to the public revenue in this, for the Loan Commissioners were directed not to make loans unless the security were both sufficient and proper. The necessity for such loans was just as great now as when the Act passed. The Legislature meant that the whole £500,000 should be appropriated for that purpose if proper security were given for it, and the other conditions mentioned in the Act complied with; but of this sum only £144,000 had been advanced; and therefore, he contended, there was no reason, either connected with the state of Ireland or the public funds, why the extension proposed should not be granted. Nothing but common justice was asked; and he could not but contrast the grudging and niggard spirit in which these loans were administered with what they had heard from deputations to the Viceroy and otherwise about the generous and enlightened policy the Government were prepared to pursue towards the sister country, pledging their belief, and almost their assurance, that very great aid would be given to Irish railways. He trusted the Secretary of the Treasury would re-consider the matter.

MR. M'KENNA desired to make a few remarks in reference to the objection which had been urged to a compliance with the requests of Irish railways, where applications for loans were not made within the three months provided by the Act. The hon. Gentleman the Secretary of the Treasury had referred to the fact that at the time the Bill received the sanction of the House the rate of interest in the general market was 10 per cent per annum. This was doubtless true, and it constituted one ingredient in the conditions of pressure under which the railways then suffered; it could not, however, have operated as an inducement to Parliament to help them, for it rendered any help then given a cost and loss to the State. The pressure on the railway companies now arose from one cause only; but if that cause were adequate the

Government were bound to use their powers to continue the operation of the Act, for the railways were not now asking any concession whatever at the expense of the State; the companies were prepared to secure to the country 5 per cent per annum, and this money would cost the country under 3½. The present pressure on the Irish railway companies mainly arose from the panic of investors consequent on the Fenian movements. No one could have less nervousness on the subject of that movement than he (Mr. M'Kenna.) But fears which were unwarranted and contemptible did prevail, and were sufficient to paralyse industry and injure credit. He hoped that these railway companies which were constituted of the best friends of order in Ireland would receive from the Government at this juncture that consideration which Parliament so lately sanctioned.

Mr. CHILDERS said, he did not wish to enter into the general question; but he understood the Secretary of the Treasury, in the remarks he had made, to intimate that the Bill of last year was likely to prove an inconvenient precedent. He had said that that Bill was *pessimi exempli*, and that if its principle was correct, what they had done for Ireland they might be called upon to do for England. But he (Mr. Childers) wished to point out that there was no need to fear that the railways of England would have a better title to the assistance of Parliament in consequence of the passing of the Act of last year. In reply to the same objection, which had been taken last year, he had explained that the railways of Ireland stood in a very different position from those of England. The English railways had been constructed entirely by private enterprize, whereas the Irish railways had been constructed to a great extent by means of loans from the Public Works Commissioners, which had to be repaid by yearly instalments. The Government, therefore, having lent the money for the construction of the lines, and having been repaid large sums, the re-payment of which, with the addition of the sinking fund, had compelled the companies to borrow on debentures; and those debentures having been, in the pressure of last year, unrenewable, it was not, he thought, unreasonable to allow them as a temporary loan a portion of the money that they had made in re-payments. He hoped that the hon. Member for Northamptonshire (Mr. Hunt) would not still maintain that the Act of last year would justify the English railway companies in asking for similar relief.

Mr. HUNT explained that what he said was, that if this Motion were acceded to there would be a difficulty in resisting a similar application on behalf of the English companies under similar circumstances.

Mr. CHILDERS had not asked the hon. Member to accede to the present application.

Mr. SYNAN said, that the influences that had deranged the finances of Irish railways last year were still in operation, and therefore the Government were bound to carry out the intention of the Act passed in the last Session. Good security and high interest were offered for the loan, and he could not see why Government should decline to carry out the intention of the Act. All that was asked was that they should examine the securities the railways had to offer, and if they were satisfied to advance the money.

Sir HENRY WINSTON-BARRON reminded the House that the Act under which this application was made was passed at a time when the money-market was deranged by the rate for money varying from 10 to 12 per cent. Since then there had come the Fenian outbreak, and the consequence was that the money-market was more deranged than ever. It was more difficult now than it was last year to get money, either for the English or Irish railways. He wished to remind the House that the Government would really gain by this scheme, for they would be able to borrow money at 3 per cent, while they would lend it to the Irish railways at 5. As for the securities, there could be no doubt about their value, because, in fact, the Government would examine their value for themselves. If the loan were refused let Parliament depend upon it that the Irish people would not forget the circumstance.

Mr. J. B. SMITH had been disposed to object to this Motion, as he understood that it was an application for money to assist Irish railways, which he thought ought on principle not to be acceded to. But he found on examination that the application was only to carry into effect the provisions of an Act of Parliament which had been passed by universal consent last Session; it was not a new application for a loan to which he would have objected, and in the peculiar condition of affairs in Ireland he hoped the Government would accede to the renewal of the loan which Parliament had authorized.

The CHANCELLOR of the EXCHEQUER: The matter now before us is one which, since we succeeded to office, has much engaged my attention. The position of the railways in Ireland had attracted the attention of our predecessors in office, and they had entered into arrangements and engagements, probably not to be vindicated by strict principles of political economy, but which yet might be defended on grounds of political justice. We accepted the position which was left to us by our predecessors, and it appeared to me one in which the State might interfere with very great advantage to Ireland, and, generally speaking, in a manner which could be defended on every principle of sound policy. What were the circumstances? They were laid before us by deputations headed by persons of great position in Ireland, and who sit in both Houses of Parliament. There was then a monetary panic of a peculiar character, which doubtless does not exist at the present moment, though its consequences remain, and naturally must remain, to some extent, in a country situated like Ireland. We found that the means of communication in that country were endangered, and it was possible circumstances might arise which would interrupt the public communications in a manner not merely injurious to the interests of Ireland, but of the Empire. We agreed to assist the Irish railways under certain conditions, which I think were well considered, and so conceived as to effect, not only the purposes which we desired, but to secure the public interest and to protect the public resources of this country. No doubt, the state of affairs in a monetary sense has changed. No one can say now that he is obliged to pay 10 per cent as the minimum rate of interest at the Bank; but, at the same time, the consequences, even in England, of the great anxieties of that period are seriously felt, and property of this kind has not yet recovered its proper and natural condition. But, in addition, the social condition of Ireland is different from that of England. In Ireland there are social circumstances of a very perplexing character which exercise a most injurious effect on its industry, on the employment of its capital, and, of course, on the employment of its labour. I do not want to intrude the Fenian invasion into this discussion, which is one relating purely to a matter of business; but, as that subject has been introduced, it is impossible to shut our eyes to the remarkable consequences of that almost unprecedented state of affairs. What the Fenian movement is I do not at this moment understand, although in the course of the day I receive several telegrams on the subject, and give them very anxious consideration. I believe it is rather to be accounted for by physical than political causes. I know that in the Middle Ages there was a "dancing mania," and whole nations fell into fits of dancing, and passed the borders of contiguous countries till they accomplished a distance of 3,000 leagues. There is no doubt that there is an epileptic feeling which affects nations like individuals, and I can only account for the Fenian movement on the epileptic principle. There is no doubt that movement has affected the value and position of railway property in Ireland. Whether the Fenian invasion is as bad as a 10 per cent minimum rate it is very difficult to say; but there are many Members on both sides of the House who are no doubt competent to consider the proposition, and in due time to give us the result. I can only take a rough estimate. I look on the Irish railways now as being almost in the identical position which they were when we acceded to office, and succeeded to the policy of our predecessors. I wish to carry out that policy in its integrity. I do not want to change it. I do not propose to change it, and I will not sanction any change in it. If the Irish railways can come forward and give us good security it will be the duty of the Government, in compliance with the original arrangement, naming a period which has not yet been completed, candidly to consider their claims. They will be considered, I must fairly tell them, with the severity that becomes the office which I hold. If they can offer us ample and complete security, then I think the duty of the Government will be to give them that assistance which the legislation of last year approved and authorized us to afford.

Mr. BRADY expressed his satisfaction at the speech of the right hon. Gentleman, and said that had the reply of the Secretary of the Treasury been as explicit and straightforward, there would have been no occasion for entering upon the discussion. He was rejoiced at the course taken by the Government, being convinced that had it not been adopted the most serious results would have taken place in regard to railway property in Ireland.

Mr. BLAKE also thanked the right

hon. Gentleman for his very satisfactory speech, and begged to withdraw his Motion.

Amendment, by leave, *withdrawn.*

FLOGGING IN THE ARMY.

RESOLUTION.

MR. OTWAY, in rising to move the Resolution of which he had given notice—

> "That this House, reserving for future consideration when requisite the question of the exigencies of a state of war, is of opinion that it is unnecessary that the punishment of Flogging should be awarded during the time of peace to Soldiers of the Army or Corps of Royal Marines serving on shore,"

said, that he had given notice of this Resolution with a view to elicit a declaration as to the inexpediency of continuing the system of flogging in the army. The present moment appeared to him most opportune for mooting such a question, as it appeared that additional burdens were about to be laid upon the country to induce men to enter the army. The subject was, in his eyes, of such paramount importance that he would have hesitated, humble as he was, to bring it before them if it had not been for the deep convictions he entertained on the subject, and for the support he knew he would obtain from many Members of the House. The subject had been formerly brought before the House of Commons by the hon. Member for Brighton, by the hon. Member for Leicester, and others, who objected to that clause in the Mutiny Bill which authorized the punishment. But he thought the division lists on those occasions showed that the question had never been fairly submitted to the judgment of the House. In the first Reformed Parliament the subject was brought forward by a relative of his own, and one of the most distinguished men in it—the late Sir Francis Burdett—who proposed to restrict corporal punishment to three offences, and there appeared on a division the very small majority of 11 against Sir Francis Burdett's proposition. To prevent the question being again brought forward as was threatened, Mr. Ellice, who was then Secretary at War, issued orders on the authority of the King William IV., to commanding officers of regiments, restricting the punishment of flogging to certain heinous offences — mutiny, insubordination, or violence to a superior officer, drunkenness on duty, sale or making away with arms, munitions, or necessaries, stealing from comrades, or other disgraceful practices. But how did the question stand at the present day? He feared, by the Returns on the table of the House, that the question had retrograded since that time. The offences for which flogging was inflicted had increased from seven to seventeen. The number of men flogged in 1830 was 658; in 1831 it was 646; in 1832 it was 485, and in 1833 it was 370. It was remarkable that whenever a discussion had taken place in Parliament on the subject the result had been a diminution in the number of floggings, and that the amelioration which had taken place in the military code of the country had arisen from the opinions expressed by civilians in Parliament in opposition to the views of military men. The number of men flogged in 1863 was 518, and the number of lashes inflicted 23,668; the number of men in 1864 was 528, and the number of lashes, 25,638; the number of men in 1865 was 441, and the number of lashes 21,561. So that, in point of numbers, more men were flogged in 1865 than at a previous period when the matter was very little considered, though it must be mentioned that the number of men now in the army was much greater. There were certain offences also now punishable which did not find a place in the order to which he had alluded. In 1865 men were flogged for habitual drunkenness, breaking out of prison, disobedience of orders, loss of necessaries, unlawful possession, drunkenness in camp, and one man had been flogged for an offence new to him, entitled "miscellaneous." He wished to call the attention of the House particularly to two of those offences which were punishable with flogging—habitual drunkenness and desertion. It was unnecessary to describe the nature of the punishment itself. In many cases it went far beyond the intention of those by whom it was awarded, and in a recent case a man had died in hospital at Limerick after a severe flogging. He submitted that if it were possible that death should result from the punishment, the punishment ought to be abolished altogether. The Returns before the House showed that the punishment was utterly inefficient as a remedial measure. A most valuable Return entitled "Subsequent Conduct of Men who have been Flogged," most clearly proved this. It had been stated that the word "desertion" had suddenly come into the Mutiny Act in 1858, and that many men had since that time been punished for an offence which was intended to be excluded from the Bill. Now, if there was any one offence for which a man ought not to be subject to this punishment, it was that of desertion. How did a man enter the army? He was frequently entrapped by some wily sergeant when in a state of intoxication, and when he recovered he instinctively ran from the trap in which he had been caught. No doubt a man deserved some punishment for such an offence; but he ought not to be subjected to the most degrading punishment that could be inflicted. Of all offences "desertion" ought to be excluded from the list, except that of drunkenness. In 1865 the number of men flogged for desertion was seventy-two, and for habitual drunkenness, twenty-seven. When a man had been convicted of habitual drunkenness three times, he was brought before a court martial for the fourth offence, and degraded to the second class. Now, what was the case with respect to an officer offending in a similar way? At Agra a captain on the Staff was arraigned the other day, charged with conduct unbecoming an officer and a gentleman, prejudicial to good order and military discipline, in having been drunk at a public banquet given by the Maharajah of Jeypore, an ally of Her Majesty, and caused such a disturbance that he had to be removed by force. The Court found him guilty of the charge, and sentenced him to be severely reprimanded. The sentence was approved and confirmed by W. R. M. Mansfield, General Commanding-in-Chief Her Majesty's Forces in India. Mark the contrast! The unhappy recruit who got muddled with beer was brought to the halberts, stripped to the waist, and flogged till the blood ran down his back, whilst the accomplished captain of the Staff who had to be removed for drunken violence was merely reprimanded. Truly might it be said—

> "That in the captain's but a choleric word
> Which in the soldier is rank blasphemy."

If that were the treatment recruits had to expect, while at the same time they were debarred from rising to the position of an officer, how could we hope to popularize the army? It was said that the punishment was necessary for the maintenance of military discipline. But to disprove that assertion it would only be necessary, without going back as far as the Jews, who, more humane than ourselves, inflicted only forty stripes save one, or the Romans, who did not inflict the punishment at all on their soldiers, to look at the Continental armies. In the two great wars which had recently taken place, the four Continental armies had been engaged—those of Russia and Austria, France, and Prussia. In the armies of France and Prussia corporal punishment had been altogether abolished. In the Russian army it still existed. In the Austrian army it was on the decrease. And what had been the result of the different systems? The armies disciplined under the lash had been defeated, whilst those in which the lash had been abolished had achieved invariable and brilliant success. In England, also, we had seen an army in which discipline had been maintained without the lash. Flogging was unknown in that famous army of Cromwell, of which Macaulay says, "No enemy ever saw its back." And how was it with the descendants of those Cavaliers and Roundheads who had once again met in deadly strife in the new world. The lash would not be tolerated for a moment in the American army, and yet during the recent gigantic war discipline had been fully maintained. It had been said that the English soldier was an exceptional soldier, and no doubt he was so to a certain extent; but it was not necessary on that account that he should be governed by the lash. In the metropolis discipline was maintained in the three regiments of Household Cavalry without the use of the lash. It might be said that they were composed of men of a superior class. And why? No doubt the men received better pay; but he maintained that a better class of men were attracted to those regiments, because they were not subjected to that degrading punishment. During the Indian Mutiny, in one of the most gallant regiments, under the command of the hon. and gallant Member for Norwich (Sir William Russell), discipline was fully maintained without the use of the lash, and it must be a source of great satisfaction to the hon. and gallant Gentleman to find that the Returns showed a continued absence of flogging in that regiment. One word with respect to recruiting. It had been admitted by the late Secretary for War that great difficulty existed in obtaining recruits. He was surprised to find that the Recruiting Commission had so much confined themselves to a certain class of witnesses, who could afford but little information as to the reason why men did not enter the ranks. Still, there was some evidence of importance upon this point. Several of the witnesses called before the Commission stated that flogging in the army checked recruiting, and was one of the causes which rendered it less attractive than it would otherwise be; and one of them said—and he (Mr. Otway) could confirm the statement—that he had heard mothers declare that they would sooner see their sons dead than in the army. It was understood that the right hon. Gentleman the late Secretary to the Admiralty had issued orders limiting the amount of flogging in the navy. Now, it was not sufficient merely to issue orders, for orders in the army were not attended to. There was but one remedy, and that was, the entire abolition of the punishment. The House had been led to understand that there was an absolute protection to a man entering the army from this degrading punishment; and that before he was degraded to the second class he could not be punished. [Sir JOHN PAKINGTON: Hear, hear!] He (Mr. Otway) regretted to say that that was not the case—that there was no absolute protection for a soldier in the first class; for soldiers in the first class had been flogged before they were degraded into the second. The question as to those by whose orders the punishment of flogging was inflicted, opened up too wide a field for him to pursue now; but the House would remember that the regimental court martial before which a man was tried, was composed for the most part of young officers—that the tried soldier had not that protection which was given to every other citizen of the country—he was not tried by his peers. In France and in Prussia two private soldiers sat on every court martial, and their voices were equally free and powerful with those of their superior officers. No doubt the young gentlemen who constituted the judges pursued what they regarded as a proper course in sentencing men to this degrading punishment; but he maintained that it was not a satisfactory tribunal for subjecting men to such a degradation. It had been said that flogging was only given as a punishment for the gravest offences, but that that was not so was proved by the fact that regimental courts martial had power to inflict it; while the gravest offences could only be tried, not before a regimental court martial, but before a general court martial. Then, again, it was sometimes alleged that the soldiers themselves desired the retention of the punishment; but this on the face of it was incredible, and was quite counter to the testimony of those who had had opportunities of learning the feeling which they really entertained. In the *Life of Sir William Napier* an interesting anecdote was related of a private who, on a critical occasion, risked his life in rescuing that of his Commander, and when Sir William asked the motive for his gallant conduct, he replied, "You saved me yesterday from corporal punishment;" General Napier having, on the eve of the engagement, remitted his sentence. That man afterwards became an excellent soldier, and died a serjeant pensioner. The statement that the lash had been entirely abolished in Prussia was sometimes questioned; but he was able from a recent visit to that country, and on the authority of a Prussian officer of high rank, to assert positively that such was the fact. Corporal punishment having being thus dispensed with in France, Prussia, and America, and being on the eve of abolition in Austria, why, he would ask, should England lag behind? The House had passed a number of measures mitigating the punishment of the soldier, but always, he regretted to say, in opposition to the views of the military authorities. When the 1,000 lashes were reduced to 300, and when the barbarous punishment of tying up cavalry soldiers by the wrist with their toes suspended over spikes was abolished, it was emphatically declared that discipline could not be maintained—just as Lord Eldon predicted that if hanging for burglary were given up people would all be murdered in their beds. He remembered, too, that on a visit to Van Diemen's Land—in an innocent capacity—he found the inhabitants greatly alarmed on account of the capital penalty for sheep-stealing being abolished. He hoped the House would disregard such bugbears, and would disdain to believe that the discipline of our army was dependent on the lash. The Resolution he was about to propose did not, he admitted, go as far as he should himself prefer; but he hoped that in time of peace, at all events, a punishment so demoralizing to those who inflicted and witnessed it, as well as to those who endured it, would be abandoned. The hon. Gentleman concluded by moving his Resolution.

MAJOR ANSON, in seconding the Motion, said, that he had always voted against propositions arbitrarily interfering with the power of those who were responsible for the maintenance of the discipline of the army; but it could not be denied that corporal punishment was contrary to the spirit of the age, and was condemned by public opinion. It consequently deterred a number of persons who would otherwise enlist in the army—and especially operating prejudicially on the class and description of men who actually did enter. It was time for the House to consider whether it was absolutely necessary to retain this punishment in order to maintain the discipline of the army. That flogging could be done without was shown by experience. In 1811, when the character of the men was far worse than at present, Colonel Dalrymple, who commanded the second battalion of the Scots Fusileer Guards, announced his determination never to have recourse to the punishment of flogging. Colonel Dalrymple remained in command for two years and a half, and when he was promoted, a General Order was issued by the Duke of Gloucester, setting forth that the battalion under his command had supported the character of the regiment by its uniform good conduct, that this had been effected without the infliction of corporal punishment, and that no corps were ever in a higher state of discipline. If the House wished to know the effect of corporal punishment upon the men, he would refer to a Return moved for by Lord Alfred Churchhill, in 1865, of the number of men flogged in 1862, and the number of courts martial subsequently held upon the same men, with the punishments inflicted. It appeared from this Return that in 1862 there were no less than 329 men flogged, and out of this number there are only 107 who have not been since tried by court martial, and of these some 20 had their punishment extended from one to two years' imprisonment, leaving but short time to judge of their reformation; 63 had been discharged, in most cases ignominiously, from the service; of 16, no further information had been received after the first punishment; and on the rest as many as 275 further courts martial had been held, inflicting various punishments. It was certain that the punishment of the lash did not deter from the commission of subsequent offences. These figures were quite sufficient to justify the House in expressing an opinion, and the thanks of hon. Members were, he thought, due to his hon. Friend for the manner in which he had brought forward the subject, by giving the House an opportunity of expressing its opinion without taking immediate action. He trusted that if his hon. Friend should carry his Motion he would not take any steps to embody it in the Mutiny Bill of the present year. If a General Order were issued by the Commander-in-Chief suspending the punishment of flogging for a year in the army, the authorities would discover whether it would be possible to do away with corporal punishment or not. This would give both officers and men an opportunity of showing that they could do without the punishment of the lash. Such a course would, he believed, offer the easiest means of settling this difficult question.

Amendment proposed,

To leave out from the word "That" to the end of the Question, in order to add the words "this House, reserving for future consideration when requisite the question of the exigencies of a state of war, is of opinion that it is unnecessary that the punishment of flogging should be awarded during the time of peace to Soldiers of the Army or Corps of Royal Marines serving on shore,"—(*Mr. Otway,*)

—instead thereof.

MR. MOWBRAY: In rising to offer a few observations in answer to the Motion so ably introduced by my hon. Friend the Member for Chatham (Mr. Otway), and so ably seconded by the hon. and gallant Member for Lichfield (Major Anson), I feel that I labour under great disadvantage in speaking merely from the experience which I have acquired in the administration of the office with which I have the honour to be connected. My hon. Friend the Member for Chatham has introduced his Motion with an announcement that he speaks on behalf, not merely of his constituents at Chatham, who are deeply interested in this question, but of the mothers of England, who are interested on account of their sons who are now in or may be likely to enlist into the British army; and he says he speaks also with the authority of experience which he obtained in our Australian colonies. The hon. and gallant Member for Lichfield also has added to the Motion the weight of the authority which he has derived from his experience during many years of distinguished service in the field. I feel that in attempting to answer those two hon. Members I labour under great disadvantage; yet I venture to say that the case which those two hon. Members have sought to make out is one that admits of a complete answer. The Motion which the hon. Member for Chatham has submitted to this House is to this effect—That during the time of peace, under all circumstances, under all conditions, in all parts of the vast extent of the British dominions, where the British army may be placed, this House will be of opinion that the punishment of flogging shall under no circumstances be awarded; and the hon. Member, in introducing the Motion, stated to the House that this question has never fairly been submitted to it. But he himself has given a complete contradiction to his own statement, by showing that from the year 1833 and down to the year 1867, on various occasions, the opinion of this House had been elicited by various Members on this question. I do not hesitate to say that to pass the Motion of the hon. Member for Chatham would be an interference on the part of the House with the discipline of the army, and one which is contrary to the opinions and judgment of those to whom the administration of the army is intrusted, and which might—I do not wish to use an exaggerated phrase, and therefore do not say that it will—effect a revolution in the army, but I do say that the result will be a fundamental change in the law; and such as I think this House will be unwilling, except in the strongest possible case, to adopt. The hon. Member for Chatham says that the question has retrograded since 1834, when the question was introduced into the Reformed House of Commons by an hon. and gallant Member (Major Fancourt), and Mr. Ellice, then Secretary at War, made certain promises to the House which were embodied in a Memorandum issued by order of King William IV. restricting the punishment of the lash to seven classes of offences. Now, the hon. Member says, the classes of offences to which the punishment is applicable have been increased from 7 to 17, and that thus the question has retrograded since 1834. Well, I felt a difficulty throughout the speech of the hon. Member for Chatham in understanding what was the nature of his objection. At one time he seemed to object to the punishment as degrading to the soldier; at another he objected on the ground that it was applied to offences to which it ought not to be applied; and it was with respect to the latter that I understood him to complain that the 7 classes of offences specified by William IV. in 1834 had been increased to 17 in 1867. But, so far from the question having retrograded during the last 33 years, I think I shall be able to show that there has been a most remarkable diminution in every respect in the amount of corporal punishment awarded within that period. He has spoken of the number of men flogged in 1831-2, and of the number of men flogged in 1863-4-5. But did the hon. Gentleman compare the number flogged with the total number of the forces at each of the two periods—the forces of the King in 1830, and the forces of the Queen in 1865? In 1830 the hon. Gentleman said the number of men flogged was 658. So they were. But that was 658 out of 88,498, or 1 man in 135. And how stands the case during the last three years? Why, in 1863 the British army, including the Indian army, consisted, not of 88,498, but 280,000 men; and the number flogged in that year was only 518, or 1 in 403. In 1864 there were 528 men flogged out of a force of 204,057 men, or 1 in 386. In 1865 there were 441 flogged out of 198,048, or only 1 in 449. Let me ask my hon. Friend the Member for Chatham whether that is not an aspect under which the question should be regarded? Let me take another point. Compare the men sentenced to corporal punishment with the number tried by courts martial. Some 40 or 50 years ago, from 1821 to 1823, every other man—1 man out of 2 of those tried—was flogged. From 1825 to 1828 1 in 5. How stands the proportion in the last three years? In 1863 there were tried by court martial 18,659 men, of whom 518 were flogged, or 1 out of 36; in 1864, there were tried 18,028, of whom 528 were flogged, or 1 in 34; in 1865, there were tried 22,261, of whom 441 were flogged, or 1 in 54. Whereas somewhere about 40 years ago every other man who was tried was flogged; in the last year the proportion was only 1 in 54. How, then, can it be said that we have retrograded on this question since the year 1834. There is another point, and that is the amount of punishment inflicted. The hon. Member has talked of the question having retrograded. Why, in 1834, a general court martial could award an unlimited number of lashes; and there is a Friend of mine sitting behind me who says he has seen 999 lashes given. I will show you the progress which has been made since that time. I am not defending the practice of by-gone days. I adduce it as a matter of history, in answer to the observation that the cause of abolition has retrograded since 1834. In that year an unlimited number of lashes could be given by a general court martial. A district court martial could inflict 300 lashes, and a regimental 200.

MR. OTWAY wished to explain that the right hon. Gentleman had misunderstood his argument. He had not said that they had retrograded in respect to the points to which the right hon. Member was referring, but in respect to the number and class of offences for some of which flogging was not previously inflicted.

MR. MOWBRAY: I am answering the general statement that we have retrograded since 1834. In 1847 the number of lashes to be inflicted in any case was reduced to fifty, and no more than fifty can now be awarded for any offence whatever; and this has been the case for the last twenty years and upwards. This is a third answer to the alleged retrogression since 1834. The hon. Gentleman has spoken of courts martials being composed of young officers, leading the House to infer that punishments are awarded in a reckless way. But there can be no court martial that does not require confirmation. Every sentence is submitted to superior authority. A sentence of a general court martial is submitted to the Sovereign, and the Sovereign acts under the advice of the Judge Advocate General; a sentence of a district court martial is submitted to the confirmation of the General Officer commanding the district; a sentence of a regimental court martial undergoes the double revision—first of the Commander of the regiment, and secondly of the General Officer commanding the district. The hon. Member has alluded to one case of flogging that occurred in 1865, which in a Return of corporal punishments was said to have been inflicted for "miscellaneous" offences. I really do not know who compiled this Return; but I imagine the explanation would be that the man was convicted of several offences at the same court martial. The case occurred in the East Indies. The hon. Member's Motion is that in time of peace the punishment of flogging should be abolished in the British army under all circumstances. Now, I do not stop to inquire exactly what the hon. Gentleman means by "time of peace." What is "time of peace" at home may not be "time of peace" at New Zealand or at the Cape. We learned yesterday that it is not time of peace in Honduras. May there not be parts of the British Empire at all times where there is not peace? Let me call the hon. Gentleman's attention to this point with respect to these sentences of corporal punishment. A very small proportion after all is inflicted for offences committed at home. The hon. Gentleman has spoken of the Guards. Well, there is an hon. and gallant Friend behind me (Sir Charles Russell) who will be able to state that the amount of corporal punishment inflicted in the Guards is almost nil. [*Opposition cheers.*] Hon. Gentlemen cheered; but it did not follow that because in a well-disciplined corps in London they could dispense with corporal punishment they could dispense with it also in New Zealand, China, and our distant dependencies. You will find the annual average number of persons flogged during the last three years to be 141. In 1863 the number was 167; in 1864 it was 109; in 1865, 147; so that the average of the 3 years was 141. Well, where is the punishment principally inflicted? You will find at one time a mutiny at Sierra Leone, on which occasion 30 were flogged. At New Zealand a very large proportion of flogging took place. There would be great difficulty in imprisoning offenders in New Zealand; and yet what other punishment than imprisonment could be substituted for the lash? And the same remark applies to India and to China. The majority of these instances are cases, as I have said, relating to distant dependencies, such as New Zealand, the East Indies, and Canada, and in the latter colony the floggings have chiefly taken place for the crime of desertion — there being great temptations for soldiers to pass over the borders into the United States. The hon. Gentleman the Member for Chatham objects to such a punishment being inflicted for desertion, or for drunkenness. I would like therefore clearly to understand what it is that the hon. Gentleman wishes us to do. Does he wish the House to affirm that corporal punishment is to be abolished, or does he wish us to pass an opinion as to the particular class of offences which ought to be punished in that way? My own idea is that the latter is rather a question to be dealt with by those to whose charge the discipline of the army is committed. At present there are offences—such as absence without leave, which are no longer brought under the head of desertion. It is not for this House to decide what class of offences shall or shall not be visited with corporal punishment. According to my own experience the offences for which it is mainly inflicted are thefts from comrades, striking non-commissioned officers, making away with necessaries, desertion, and habitual drunkenness;

but in the two latter cases this punishment is rare. I speak only from my official experience of a few years; but comparing the years 1858-9 with 1866-7, I find that in the latter years the courts martial are more loth to inflict it than they were in the former, and that it is only in the most flagrant cases that the presiding officer is willing to inflict the punishment. [" Oh, oh!"] There can be no doubt whatever that flogging is diminishing instead of increasing, and that those who administer the discipline of the army are slow to take advantage of the powers which the law gives them. There is a growing indisposition on the part of officers to resort to such a measure, and that, coupled with the facts I have already brought under the notice of the House, makes me believe that no case has been made out for intervention in this matter. The hon. Gentleman says it should be restricted within the narrowest limits. With respect to that point, I speak my own sentiments, and I am sure I but echo the opinions of all in this House, that we are perfectly at one with him. His Royal Highness the Commander-in-Chief and those upon whom depends the administration of discipline in the army also earnestly wish to restrict this punishment within the very narrowest possible limits. Upon that point we are all agreed. The hon. Gentleman has referred to the important change introduced by the late Lord Herbert in 1859-60 with regard to the classification of soldiers, and he complains that the orders sanctioned on that occasion have not been complied with. The hon. Gentleman having appealed to me in the matter, I feel bound in all candour to tell him all that I know with respect to it. It is well known to the House that by means of Lord Herbert's classification, soldiers upon entering the army are placed in what is called the first class, and so long as they continue in that class they are protected from being subjected to corporal punishment. It has been urged by the hon. Gentleman that this immunity has been violated, and that a soldier belonging to the first class had actually been subjected to the lash. That is perfectly correct. In the course of last autumn it was my duty to read the proceedings of a court martial, from which I found that a soldier of the first class had been sentenced to corporal punishment. My attention was immediately directed to the case, and I may add that it was one of so detestable and abominable a character that were the facts disclosed I am sure every Member of this House would agree that the punishment was fully merited. In that case the principle laid down in Lord Herbert's classification was certainly violated; a soldier belonging to the first class had corporal chastisement inflicted upon him, but it occurred under what were very exceptional circumstances. I felt it my duty, however, to write to the confirming officer, and to point out to him that, as a pledge had been given to Parliament in the year 1860 that soldiers of that class should possess an immunity from such sentences, those to whom the duty of administering discipline in the army should keep faith with Parliament and carry out the regulations which the Queen had sanctioned. I also addressed a communication on the subject to the Secretary of State for War and his Royal Highness the Commander-in-Chief; and the result has been that in future the provision applicable to the cases of soldiers of the first class, instead of forming part as it hitherto has done, of the Queen's Regulation, will form part of the Articles of War, and will thus be imperatively binding on all commanding officers, and absolute protection will in this way be afforded. Passing from that, I may remark that one would really suppose from the way in which the hon. Gentleman has put the question that the only persons in the British dominions who are liable to be flogged are the British soldiers, and that such punishment was reserved for one class of Her Majesty's subjects, and for one alone. Nay, more, the hon. and gallant Member for Lichfield spoke of it as opposed to public opinion. But is this really the case? Is it a fact that corporal punishment is opposed to the public opinion of this country? [" Hear, hear!"] Hon. Gentlemen say " Hear, hear!" but I should like us to be explicit upon this matter. The question has been put to the House over and over again for the past twenty-five years, and it has always been answered in the same way. And in what way has it been answered, let me ask? I am speaking now, of course, of civil offences. What happened twenty-five years ago? Why, in the year 1842 this nation was shocked by a succession of impotent and unmeaning outrages against its Sovereign, and it being strongly felt that the cases could not be treated as high treason, a special Act of Parliament was passed providing that this crime should be visited with corporal punishment. The result of that has been that since then there has not been a single instance of personal outrage against the Sovereign. What happened somewhat later? A senseless and miserable man entered the British Museum and wantonly destroyed a beautiful work of art—the Portland Vase—then Parliament felt that the outrage was so gross, and that it gave evidence of such a brutal and degraded nature, that corporal chastisement was really the only punishment which could be inflicted. Again, in the year 1861, when we had the whole of our criminal law under review, Bills were introduced with the greatest deliberation by the Attorney General of the day, submitted to a Select Committee upstairs, and discussed there week after week, and were passed by the House sanctioning the infliction of corporal punishment on offenders not over sixteen years of age. Again, in 1862, Parliament passed an Act especially to regulate the mode in which juvenile and other offenders should be whipped, and prescribing the mode in which they should be whipped in England as well as the way in which the punishment should be inflicted in Scotland. ["Oh, oh!"] I have not the Act by me; but any hon. Member can refer to it for himself. It is a short Act of two clauses, prescribing the mode in which the whipping of juvenile and other offenders should be carried out. But there are even stronger instances in favour of my argument than those which I have already adduced. Four years ago, when garrotting was very prevalent, and when an hon. Member of that House was unable to proceed to his home in safety at night, a special law was passed making violent outrages of that description liable to corporal punishment. That measure was carried on the Motion of my right hon. Friend the Under Secretary for the Colonies (Mr. Adderley), then a private Member of the House, without the weight which attached to a Member of the Government, and solely relying on the preponderating public opinion out of doors. But Parliament has done more. The hon. Member for Chatham complains of the brutal system of corporal punishment in the army, which consists in the administration of fifty lashes. Does he forget that in 1863 the Legislature provided that garrotters might be whipped not only once or twice, but three times? [Mr. Buxton: How many lashes?] I will tell the hon. Gentleman. If the person on whom they are inflicted happens not to be over sixteen years of age the number of lashes prescribed is twenty-five each whipping—that was to say, seventy-five if the three whippings are inflicted, as against fifty in the case of the soldier. Any male offender over sixteen may, however, receive fifty lashes at each whipping, or 150 in the whole, while that brutal punishment—the relic, as the hon. Gentleman would have it, of an obsolete age, is maintained in the army only to the extent of fifty lashes for a single offence. I have, I think, said sufficient to show that there is but little force in the argument that corporal punishment is opposed to public opinion; and, when it is borne in mind that only one out of every 400 soldiers is now flogged, and that the lash is not carried to such an extent as to shock the general feeling, I think I am justified in appealing to hon. Members not to interfere with those who are responsible for the discipline of the army, and whose business it is to maintain that army in a state of efficiency, by passing a Resolution couched in such general terms as that under discussion, and which will, if passed, operate in all parts of the world and under all circumstances, however difficult or inexpedient it might be to act upon the suggestion which it contains.

Captain VIVIAN said, he thought that the speech of the right hon. Gentleman who had just sat down (Mr. Mowbray) furnished the best arguments—if any arguments were required to show the propriety of abolishing corporal punishment in the army—in favour of the Resolution of his hon. Friend the Member for Chatham. The right hon. Gentleman began his speech by putting on that Resolution a construction which the words did not bear, and had argued that Motions of the same character had been brought before the House on various occasions, always to meet with the same fate. The present was, however, he (Captain Vivian) believed, the only occasion on which such a Resolution had been submitted to the House in a substantive form. In all previous cases it had been introduced in Committee by way of Amendment to one of the clauses of the Mutiny Bill. The Motion on the present occasion would therefore have more force than it could previously have had. The right hon. Gentleman went on to charge his hon. Friend with stating that the question of flogging in the army had gone back within the last thirty years, but what he really said was that the class of offences for which that punishment was inflicted had retrograded. He was, however, glad that the right hon. Gentleman had misinterpreted the words used by his hon. Friend, because upon that misinterpretation he hung an argument which was one of the best that could be advanced in favour of the abolition of corporal punishment; for surely, if the cases in which that punishment was now inflicted were only as one in 400, whereas thirty years ago they were one in 137, it was clear that the discipline of the army had gone on rapidly improving without the aid of a brutal and barbarous practice. The right hon. Gentleman the Judge Advocate General had referred to the fact that a gallant Officer in that House had witnessed the infliction of 999 lashes. It had been his (Captain Vivian's) misfortune to have witnessed the infliction, under the sentence of a general court martial, of 200 lashes; but now only fifty lashes could be given, which, in his opinion, proved that the army got on just as well without this brutal and barbarous practice as it did when the larger number were inflicted. The Guards had been instanced by the right hon. Gentleman as a regiment in which corporal punishment was rarely, if ever, inflicted, and he gave as a reason their good discipline, arising from their being in London; but every one connected with the army knew that London was the worst place in all the world where they could enforce discipline. If that could be done with regard to the Guards, who were stationed in London, why could not the discipline of the whole of the army be maintained without corporal punishment? The Household Cavalry regiments had been quoted to show that corporal punishment was not required to enforce discipline; but that was owing to the fact that it was considered the greatest disgrace that could happen to a man to be turned out of the regiment. They should, therefore, endeavour to teach the whole of the army that it was a glory to belong to the profession, and a disgrace to be driven from it. There was no gentler nature or kinder man than His Royal Highness the Commander-in-Chief, and he knew that His Royal Highness would be glad to see corporal punishment abolished if he could, and he only wanted the sanction of the House for it. ["Hear, hear!"] He understood that cheer; but he had no doubt that if the Resolution was adopted by the House the discipline of the army would be quite as safe as it was now. The right hon. Gentleman had compared the British soldiers to felons, because he had urged that public opinion was in favour of the lash in the case of garrotters, those who committed high treason by firing at the Queen, men who wilfully destroyed property, as in the case of the Portland Vase, and also in the case of juvenile offenders; but it was precisely because it was so that the punishment lowered the moral standard of the army, and rendered it so difficult to get recruits of a character different from those who now enlisted. But he (Captain Vivian) wished to see the British soldier stand on a different footing. The Secretary of State for War had introduced a new system of recruiting, which no doubt would bring a greater number of recruits to the ranks; but he (Captain Vivian) wished to see a different class enlisted. Nothing prevented a man of respectable family from joining the army so much as the fact that he might be subjected to the lash, and it was therefore only natural that a mother should say to her son, "Don't go where you may be disgraced by the application of the lash." Flogging was not brutal as it was now carried out. A case had been referred to in which a man who had received punishment was supposed to have died in consequence; but from the report of the inquest on Private Symes, of the 74th Highlanders, who died in the Limerick Military Hospital, after receiving fifty lashes, it appeared that the military medical men said he died of erysipelas of the brain, independent of the flogging, while a civil doctor attributed death to irritant fever, consequent on the flogging; and the verdict was that he died from congestion of the brain and fever, accelerated by corporal punishment. It was not proved, then, that he died from corporal punishment, and the probability was that he died from disease, induced by intemperate habits. But in this case the sympathy of the public was in favour of the victim. One of the strongest reasons he had to urge against the continuance of corporal punishment was that it was now administered with such mildness that it had ceased to have any deterrent effect; and that was proved by the Return already quoted, which showed that of 328 men flogged, only six were reclaimed by the flogging. Formerly, when men received 500, or even 999 lashes, it had a different effect, because men's minds were struck with terror. Now, however, it was not the abuse of the lash, but the use of it, that was objected to. It did not deter the really bad from committing crimes, and yet it degraded the army. He sympathized not with the rascal and the ruffian, but with the good soldiers, who were obliged to witness this degrading punishment, knowing that at any moment whilst he wore the Queen's uniform he was liable to it. ["No, no!"] The right hon. Gentleman had admitted that men of the first class had received the lash; the public did not understand the distinction of classes, and the whole army was lowered by the infliction of the punishment. He could not understand the process of reasoning by which it was inferred that if flogging were abolished resort must be had to capital punishment. It was not so in other countries; and the proper punishment of the soldier was that inflicted upon other persons who committed crimes—namely, useful hard labour, and not the dragging of shot and shell. If the Resolution were carried, something must be done to strengthen the hands of commanding officers, and facilitate their getting rid of bad characters, and it might be easily done. The other day he was conversing with a gallant friend who commands one of the most distinguished regiments, and that officer said he would be glad to see flogging abolished if power were given to commanding officers to get rid of bad characters. At present it was impossible for an officer to get rid of a bad character unless he was branded—that was marked, painlessly, with the letters "B. C." He had received a letter from a commanding officer, who said—

> "About the year 1863 a man enlisted in the regiment named James ——, a quietly contumacious and mutinous blackguard. He soon proved himself, never doing his punishment, and always absenting himself. On the occasion of one of his long absences I caused his kit to be examined, and there discovered a 'branded' discharge, purporting to be that of 'James ——,' who had been drummed out of the Royal Marines as a notoriously bad and incorrigible character. On his return (he was apprehended soon after) he acknowledged the fact. I wrote to the Admiralty, complaining that this man had not been marked 'B. C.,' and had thus re-enlisted. I received as an answer that they were 'not in the habit of marking men discharged with ignominy.' I then applied to the Adjutant General for leave to discharge him, as a man unfit for the Marines was evidently unfit for any other regiment. The reply was 'You must wait till he further commits himself, then try him, and brand him; but till then he cannot be discharged, as he would again enlist.' I humbly submit that it is Her Majesty's gracious prerogative to discharge any man she pleases. The Household Cavalry have the power, and until the hands of commanding officers are strengthened, we cannot do without the example of flogging, which, however little it may benefit notorious offenders, has a most wholesome effect (by the terror it inspires) upon the young soldier."

I will mention another case—that of a man guilty of a horrible offence. A true bill was found; but, on his trial, the counsel pleaded that the indictment was faulty, inasmuch as the offence was not committed on the Queen's highway as stated, but in a passage three yards away. This man was returned (legally innocent) to his regiment, who have him still, inasmuch as a discharge was refused because the man was not branded. How can commanding officers ameliorate the condition of the soldiers, when recruits are thrown into the society and companionship of such men? If the right hon. Gentleman now at the head of the War Department would inaugurate his reign there by abolishing the cruel and useless punishment of flogging, and by enabling commanding officers to get rid of bad characters, he would do more to raise the moral standard of the army, and bring recruits into the service, than could be done by any other system that could be adopted. He wished to see the moral standard of the army made equal to the moral standard of other classes of society. He was quite sure that if the right hon. Gentleman the present Secretary of War brought his abilities unbiassed to bear on this question of flogging, and if he adopted the present Resolution, he would do more for the condition of the soldier than could be effected by any other means.

Colonel **PERCY HERBERT** said, he cordially agreed with the hon. and gallant Member (Captain Vivian) that the Commander-in-Chief would be very glad to dispense with corporal punishment in the army if he could; but as it had been said that his Royal Highness would consider his hands strengthened if the present Resolution were passed, probably the right hon. Gentleman the Secretary for War would be able to inform the House that the Commander-in-Chief was not of that opinion, but would, on the contrary, think that the passing of the Resolution would very much derogate from his power of carrying on the discipline of the army. His right hon. Friend the Judge Advocate had gone so very fully into the subject that he (Colonel Herbert) would not do more than state a few facts. According to a Return which he had seen, it appeared that out of 187,000 and odd men comprised in the Returns of the Army, 170,000, or 91 per cent, were in the first class, and therefore not liable to be flogged, and only 17,000 were liable to that punishment. The hon. Member for Chatham (Mr. Otway) must have fallen into an error when he referred to the flogging of a recruit for desertion, because a recruit must commit a great crime to be put in the second class, where he would be liable to be flogged. The hon. Member also referred to the case of a soldier being flogged for drunkenness, and gave a sensational description of the different punishment inflicted on the officer for the same offence. The House, however, should bear in mind that a soldier was not flogged for a simple act of drunkenness, but only for habitual drunkenness; and, therefore, the comparison of the case of the officer was hardly a fair one to put before the House. He thought that the House would be prepared to admit that if the punishment of fifty lashes was allowed to be given for a great variety of offences in civil life, the punishment of flogging in the army, if it were to be inflicted at all, was not excessive; and in reference to the case which had been alluded to of loss of life having ensued on flogging, he apprehended that it was owing to some accidental circumstance that the man's days were shortened. There was no punishment, not excepting imprisonment, that did not place a man's life more or less in danger, and tend to shorten it. Some stress had been laid on the efficiency of other punishments, and admitting, as he did, that they were efficient, he asked how could they be carried out unless enforced by the dread of corporal punishment? There was an old story that when some one was pressing the Duke of Wellington on this subject of preventing crime in the army by other punishments besides flogging, and suggesting that the offenders might be sent to drill, the noble Duke observed, "Suppose they won't go to drill?" It was not to be denied that a system of other punishments could not be carried out unless there was behind the ultimate terror of corporal punishment. The Resolution expressed an opinion in favour of the abolition of flogging in time of peace, and disclaimed the idea of getting rid of it in time of war, when the soldiers had to undergo the severest hardships and privations. But if, in accordance with such Resolution, flogging happened to be discontinued for ten or twenty years, how would it be possible afterwards, on the occurrence of a war, to resort to that punishment again? Upon this point he would read to the House a statement made before a Commission of Inquiry by the Duke of Wellington. The noble Duke said—

> "It would be a very unfortunate circumstance if a punishment pronounced by the Government and Parliament to be an improper punishment should be inflicted on those who are to perform the service abroad, which it has been the object and duty of those at the head of the army to represent as a service of honour and advantage. . . . If it (going abroad) was to be attended by corporal punishment being revived—having been put down in England and Ireland—I do not mean to say that there might not be some instances of mutiny and difficulty in getting the soldier abroad, from the fear of having, or under the pretext of the fear of having, this punishment inflicted."

The Duke of Wellington also expressed an opinion that if corporal punishment were discontinued it would not be possible to enforce the minor punishments. Now, these remarks applied much more strongly to soldiers on active service. When he was on service in India it was his fate to have to bring to court martial and to confirm the sentences of corporal punishment on three men in the course of one morning. Two of those men were guilty of having been found asleep while on their posts as sentries on an outpost, with a large number of the enemy in front of them. The other man had committed a deliberate murder of a native, who had been given into his charge as a prisoner. He had put him in charge of a rearguard, whom he had told to take care of the man; but he had hardly ridden away from them the length of that House when he heard the discharge of a musket, and on turning back found the prisoner lying dead. Seeing the man's musket smoking, he made a prisoner of him, and tried to get evidence on the spot; but he found there was a disposition to screen the offender on the part of his comrades. However, he managed to get evidence sufficient to bring the man before a court martial. Now, he would ask the House to consider whether, as he had not power to hang the man, it would have wished such a crime to have been dealt with in a more lenient way than by corporal punishment? In order to show that he was not of a barbarous or cruel disposition, he might mention that on the very same day he remitted half the amount of punishment awarded to the two other men, and apologized to the regiment for having to inflict the same punishment on them as was inflicted on the man who had committed the murder. Now, what was the course pursued in the French army in regard to crimes of violence? A case occurred in the neighbourhood of the English army in front of Sebastopol. A soldier struck an officer; though, as far as he was aware, there was no pretence that the soldier had any design on the officer's life. Now, according to the French code the penalty for the offence was death. The officer commanding the troops halted on the spot, sent a message to his superior officer, obtained authority to hold a court martial, tried the man, found him guilty, dug his grave, shot him, and marched home. Now, he would ask the House whether, in the interests of humanity, did they wish punishments of this kind to be inflicted in the English army? He had no hesitation in saying that in the English army a similar crime would have only led to corporal punishment, and that the discipline of the English army would have been thereby fully and entirely sustained. It was certainly true that some officers of very high character entertained an objection to flogging, and said they could do without it. Now, no doubt, it was not very difficult for individual officers to take that line under ordinary circumstances; yet their men well knew, if driven into a corner, they would change their minds and resort to it. Moreover, it must be remembered that officers were always enthusiastic about their own regiments, and their opinions must therefore be accepted *cum grano salis* when they said that their own corps could do without that which was found necessary under other circumstances by other people. The confidence which some officers had in the honour and good behaviour of their men was a part of that *esprit de corps* of which exaggerated instances were sometimes seen. On this point he might refer to the case of officers of the Bengal army, who after the commencement of the Mutiny were still convinced that their own regiments were still faithful, and would never turn against them. That example showed conclusively that officers were sometimes carried away by their *esprit de corps*. Now, as corporal punishment was under the present system moderate in amount, as it was only resorted to when serious offences had been committed, as it was effective for the repression of crime, and as without it it would be impossible—especially in time of war—to maintain the discipline of the army unless recourse were had to the more severe punishment of death, he thought he had made out to the satisfaction of the House that there were good grounds why Her Majesty's Government should resist the Motion of the hon. Gentleman.

MR. OSBORNE: The right hon. Gentleman the Treasurer of the Household—[Colonel PERCY HERBERT: Not "right honourable."] Well, you ought to be right honourable. I will say, then, the hon. Gentleman has somewhat misapprehended the Motion of the hon. Member for Chatham, which is for doing away with the punishment of flogging in the army during the time of peace; whereas the anecdotes so graphically narrated by the hon. and gallant Officer referred entirely to a state of war. He has given us anecdotes of his own personal experience in the Crimea, where he so much distinguished himself, and at Sebastopol, where he also distinguished himself; but his distinctions have been gained in the field of war, and his experience does not apply to a time of peace. But the hon. and gallant Officer, following the lead of the Judge Advocate, attempted to deter the House from dealing with this question by saying it would be an interference with the discipline of the army. But ever since I have had the honour of a seat in this House, that has always been the argument of all Judge Advocates, and if it had held good in this House we should have had the same state of things in 1867 as existed in 1812, when any number of lashes might have been inflicted by a district, regimental, or general courts martial. I ask, what has been the cause of the great amelioration, not only in our criminal code, but in the army, if it has not been the influence of this House? Before 1830 there was a punishment in the army of attaching an enormous weight to a soldier's leg. It was proposed to abolish that mode of punishment; and the Judge Advocate of that day, and no doubt the Treasurer of the Household of that day, said then as now—no; that would be interfering with the discipline of the army. But in 1830 a Commission sat; Lord Hill was examined before it, and he said that the punishment was more fit for a beast than a man; and that punishment was abolished altogether. When I heard my hon. and gallant Friend below me describe this punishment as being now tolerably mild, I could not help remembering the lines of Pope—

> "Narcissa's nature, tolerably mild,
> To make a wash would hardly stew a child."

The hon. Gentleman on the other side is also of opinion that the punishment is excessively moderate; but how has it been reduced to that moderation but by the interference of this House. Prior to 1832 there was no limitation to the number of lashes that might be given by regimental, district, or other courts martial; and a most serious thing happened in 1833, when the same language as we have just heard was held by the Judge Advocate of that day. In that year a clause was moved by Mr. Hume to be inserted in the Mutiny Act absolutely forbidding the punishment of flogging in the army. The division was a very narrow one, and the Motion was only lost by eleven votes—there being 140 for it, and 151 against it. But what happened immediately in consequence of that narrow majority? The punishment was restricted to certain offences, and cut down from 500 to 300 lashes; and so it has been always going on. When the House interfered military men always got up and said, you should not interfere with the British army. I made a Motion in 1843 that the punishment be restricted to fifty lashes. Of course, I was told that it would interfere with the discipline of the army. But what followed in 1845? The Minister for War came down, and on his proposition the punishment was restricted to fifty lashes. What is the argument of the Judge Advocate at the present time? Why, Sir, I was a little ashamed of the speech coming from a man of his official dignity and position; and I thought that if that speech were published side by side with your new army recruiting regulations, that what you gained by your extra 2*d.* a day you would lose by the speech of the right hon. Gentleman. The right hon. Gentleman compared the British soldier to a felon, and almost spoke as if he were the flogging master at Eton, or an amateur at flogging. He seemed to say, Is not this a fine national punishment? What do you do with your garrotters? And then he turned round and attempted to apply his great garrotting argument to the recruits of the British army. I was astonished. He thought possibly that he was making rather a smart defence for the punishment of flogging. I thought how it would probably tell in the city of Durham to-morrow morning, and how much more it would tell in the British army. I say if we are ever to have any improvement in anything in this country it will never be done by the mere authorities, whether they be a Royal Highness unnecessarily dragged into this discussion, or any one else; it will never be done until it is effected by the common sense and good feeling of this House. I heard with great satisfaction the hon. Member for Chatham (Mr. Otway), who has served as an officer of the army in several quarters of the globe, make a most excellent speech, in which he displayed the mind of a statesman as well as the humanity of a man. I see now many Gentlemen who were not in the House when that speech was made—they are probably rushing in to vote that they will not interfere with the discipline of the British army. But I hope that, at any rate, we shall find that there are men in this House who will not be deterred by these hobgoblin arguments. There is one right hon. Gentleman in this House who has rather gained a fame for re-construction. He was about to re-construct the British navy some time ago, and the other day he was about to re-construct the Board of Admiralty; but somehow or other he failed in both—at least, he has not done either—and now, like an Admirable Crichton, fit for any office, he is removed to the War Office. Well, let him now make a re-construction there, and the first thing he does, let him re-construct the system of punishment in the British army. Let him take my word for it, that if he wishes the army to be well disciplined and well recruited he will remove this abominable punishment from the page of our criminal code in the army, and then he will get a better class of men, and give satisfaction not only to the army but to the country at large.

Sir CHARLES RUSSELL thought the right hon. and gallant General who brought forward the Army Estimates the other evening gave a convincing proof of the most effectual mode of stimulating recruiting for the army by practically improving the condition of the soldier; for no sooner was a little addition made to his pay than the recruiting for the quarter was in excess of the demand, and even time-expired men, who know the necessity of maintaining discipline, were re-entering the ranks because they knew that some ameliorations of a practical character were about to be effected on their behalf. The hon. and gallant Member who last spoke (Mr. Osborne) had congratulated his hon. and gallant Friend the Treasurer of the Household on having told some very graphic anecdotes; but he found fault with them on the score of their applying to a time of war rather than a time of peace. Now, he (Sir Charles Russell) also would tell the House two anecdotes, and they should be both confined to a period of peace, and which showed how deterrent this punishment was. In 1846 he was put on board an old hulk called the *Cornwall* in which there were many draughts going to the Cape, Mauritius, Ceylon, and China. The officers had never been together before, and the men were entirely recruits. They had not been long at sea when there were serious exhibitions of a mutinous spirit. The non-commissioned officers told the officers that the men in their hammocks were discussing how they could seize the vessel, and that a rising had been determined on. Preparations were made by getting together the most trustworthy of the men in a sort of band for protection, and they were told in the event of anything like a mutinous spirit exhibiting itself to rush to the poop. They did so when a man was haranguing his comrades, telling them that if they would only cut their officers' throats and seize the ship he would lead them; that he knew the use of the quadrant and would take the vessel into a port. The man was tried then and there—he himself was a member of the court martial; there was a difficulty with respect to drummers, for there were none on board; but Colonel Erskine, who commanded, was determined the punishment should be inflicted. The man received corporal punishment before all on the deck; and from that instant, though much anxiety prevailed, every mutinous symptom vanished, and they arrived at the Cape without a single syllable of discontent. That was during peace. The hon. and gallant Member for Truro (Captain Vivian) appealed to him, pointing to the Guards, and asked why they got on so admirably? When Colonel Hamilton commanded his battalion there were a series of violent assaults made on the non-commissioned officers in the execution of their duty. He tried every punishment; but these failing, he assembled the men and told them if there was any repetition of the offence he should have a sufficient number of officers kept in barracks to form a court martial; he should have the offenders tried on the spot, and they knew what that meant. Next day a soldier, a very good man, knocked down a non-commissioned officer; he was tried by court martial, and, although all regretted that he should be the subject of the example, he was flogged, and from that instant the offence ceased. It was no argument against the punishment to say that because a soldier was flogged twice it was ineffectual. It was not to punish an individual but to preserve the discipline of the army. And if they stamped out offences against discipline by vigorous means they often prevented more serious offences arising. He would relate an anecdote of a case in time of war. At the Crimea he saw a French soldier taken prisoner for striking his superior officer, and on asking the serjeant in charge of the man what would be done with him, he said that which being literally translated was—"We will whiten his face over with lead to-morrow morning;" and he afterwards found the man was shot. No one would exert himself more than he would to benefit the soldier, but it was the good soldier he spoke of; and if they referred to the evidence before the Recruiting Commission they would find that the good soldiers did not object to this punishment. He would add that in company courts martial soldiers were flogged. He would join in limiting flogging as much as possible; but if they sent officers to distant stations, and did not allow some means short of death by which they might check mutiny and other outrageous misconduct, they would materially interfere with the discipline of the army without benefiting the soldier one iota.

CAPTAIN GROSVENOR said, they had been favoured recently with the views of Her Majesty's Government on the whole question of military organization, but the question of flogging remained just where it was before, though it eminently demanded solution; and he quite agreed with the hon. and gallant Member for Truro (Captain Vivian) that the success of this Motion would materially tend to facilitate the solution of the problem, and therefore he must tender his thanks to the hon. Member for Chatham (Mr. Otway) for bringing the subject at such a time under the consideration of the House. After the expression of opinion by so many Members—he would not say on both sides of the House, but of various political complexions—he thought there was fair reason to hope that, at least within the limits described, civilization would no longer be disgraced by the use of a punishment which, if it could find justification at all, must seek it in urgent and paramount necessity. It was to him a matter of genuine wonder that a system so justly held in abhorrence should have shown such tenacity of existence. There were some persons who thought that officers viewed the application of the lash with indifference or with positive satisfaction. It was impossible to make a greater mistake.

No calumny could be greater. Yet, when the practice was attacked, officers were always found to defend it despite their personal feelings, and because they would not shrink from the enforcement of what they deemed due to discipline. He had had the honour of serving thirteen years in a regiment in which he was happy to say the lash was unknown; and in the brigade of which that regiment formed a part there was less crime than in any other of the service. Hon. Gentlemen argued that the Household Cavalry did not come fairly in comparison with other regiments, because there were certain inducements which secured for that cavalry a better class of men. He maintained that the most powerful of those inducements was the absence of the lash. There was another case particularly apposite just now. He alluded to that of the Irish police—a most gallant body, 12,000 strong. There was no flogging in that force, and yet no one would allege that there was not good discipline in the Irish police. He concurred with his hon. Friend the Member for Nottingham (Mr. Osborne) in what he had said upon this point. Years ago there were persons who said that if the tortures then in vogue were done away with discipline would suffer. 300 lashes were then inflicted for, he would not say trivial, but certainly for ordinary offences. Well, the number of lashes had been very considerably diminished; and yet discipline in the British army remained pretty much what it was when that severe punishment was held to be necessary for its maintenance. The opponents of this Motion took their stand on the cases of a certain body of hardened, incorrigible offenders, and contended that on their account the lash must be continued. But he ventured to ask whether a demoralizing punishment, which had been inefficacious either in deterring or improving, ought to be maintained throughout a regiment merely on account of a few hardened and incorrigible offenders. It must be very gratifying to every one to see wicked persons turn over a new leaf; but he very much questioned whether any hon. Gentleman had ever heard of a case in which a reformed culprit, looking back on his career, dated his conversion from the hard, incisive, and deliberate infliction of the cat-o'-nine-tails on his own person. The duty of officers was at times very difficult, and that there was much crime, insubordination, and drunkenness in our army nobody could deny; but the remedy must be sought in other means than the lash. Why was it that those disorders existed in the ranks? It might be partially accounted for when they bore in mind the classes of the people from whom the offenders were originally drawn and the "haphazard" way in which they were drafted. As an onward step in our national civilization he hoped the House would affirm the Motion; and that they would affirm it as a step towards making the military service more palatable to the nation at large. In supporting that Motion he felt that he was but exercising his duty towards his constituents, and likewise that he was consulting the best interests of the profession with which he, in common with many hon. Gentlemen opposite, had the honour of being connected.

SIR JOHN PAKINGTON: I am sincerely sorry that the first duty I have to discharge in my new office is to appear as a supporter, to some extent, of corporal punishment, from which, in the abstract, every man on both sides will shrink. In fulfilling the duties of the office which I now fill I shall have to ask the indulgence of the House; but I confess I have less hope than I should otherwise have had of receiving that indulgence after the tone—and, as it appears to me, the uncalled-for tone—in which I have been referred to by the hon. Member for Nottingham (Mr. Osborne). I have never in this House heard a subject discussed which appeared to me to require to be decided more by calm reason, and less by party feeling, than the one now under discussion. It seems to me that in this matter we should be guided solely by the real merits of the case. On the one hand, I do not believe there is any man in this House who does not hold it to be necessary that the discipline of the army should be maintained. I am sure the hon. Member for Chatham (Mr. Otway) is of that opinion. On the other hand, I am convinced there is no Member of this House who would not be glad to get rid of corporal punishment if we could do so with a due regard to that discipline. In coming to a decision on the proposition of the hon. Member for Chatham, the sole question we have to consider is whether, looking at all the facts of the case, we can afford to get rid of the comparatively small remnant of corporal punishment still inflicted in the British army. Now, it appears to me that in discussing this matter the hon. Member for Chatham and the hon. Gentlemen who have supported him have not sufficiently borne in mind the important alteration effected in 1861 by the division of the army into two classes, the first of which classes is entirely exempted from corporal punishment, except only for mutinous conduct. It is otherwise only in the second class that punishment can be inflicted, and even in this case it is so guarded that it can only be inflicted for gross and serious offences. I heard with some surprise from the hon. Member for Chatham that this distinction between the two classes has not always been adhered to. I heard with some surprise that there had been a case in which it was not observed. [An hon. MEMBER: Several cases.] I am very sorry to hear it. I beg to say that I, for one, can be no party to any such deviation from the general rule. I can be no party to a double code; and hon. Gentlemen may now be assured that after what has passed this evening, whatever may have been the case heretofore, no instances of the kind can occur again, because in the annual revision of the Articles of War, which will take place before long, the exemption of the first class will be incorporated in the Articles of War. The hon. Gentleman in his speech made use of an argument which was a rather dangerous one for him to touch on. He alluded to the military codes of France and Prussia. He said that in France corporal punishment was not known, and that the same was the case in Prussia. But I very much doubt whether the British soldier would exchange our military code for either that of France or of Prussia. For offences which in our service render the British soldier liable to be flogged, the French or the Prussian soldier would be shot or sentenced to a long term of imprisonment; and though in the military service of those countries there may be no corporal punishment, yet their codes are so severe that the change might seem merciful. The hon. Gentleman also, I think, referred to the military code of the United States. In that code corporal punishment by flogging is not included; but in the United States they have a punishment called the "ball and chain," which I am told inflicts severer corporal suffering. There, again, the exchange would be a very bad one for the British soldier. Then in Austria, where corporal punishment is not unknown, they have a system under which the wrist and ankle are chained together, a punishment by which great torture is inflicted. The hon. and gallant Member for Truro (Captain Vivian) referred to the opinion of the Commander-in-Chief. I am sure he only does justice to the kind disposition of the illustrious Duke, and that his Royal Highness would be delighted to see an end of corporal punishment in the army if that were possible. But I am sorry to say that in the present view of his Royal Highness the system cannot be entirely abolished. The right hon. and gallant Member for Huntingdon (General Peel), my predecessor in the office I have the honour to hold, with the view to meet the Motion of the hon. Member for Chatham, wrote a letter to his Royal Highness the Duke of Cambridge, in which he expressed his deep sense of the importance of the question about to be brought before the House, and expressed his desire that his Royal Highness would inform him of the opinion he held upon this question. I am authorized by his Royal Highness to read to the House extracts from the letter he wrote in reply to the right hon. Gentleman. His Royal Highness says—

> "Within the last few years a great change has taken place in the regulations which govern the infliction of corporal punishment, and the only crimes for which it can be awarded are of a very flagrant and disgraceful nature. . . . The very general opinion among those who command or have commanded regiments is that it cannot be dispensed with; and, under these circumstances, I desire to state that although no one can be more opposed than myself to the exercise of the power of carrying into execution sentences of corporal punishment awarded by courts martial except in very flagrant cases, the abolition of it would, in my opinion, be fraught with extreme danger to the discipline of the army."

That is the deliberate opinion of the Duke of Cambridge. I have also here the opinion of the Adjutant General to the same effect, but I need not detain the House by reading it. Hon. Members must agree with me that, after having received this opinion from these distinguished persons, it would be impossible for me to accede to the Motion of the hon. Member for Chatham. The hon. and gallant Member for Truro has stated, with perfect truth, that I come to this question with an entirely unprejudiced mind. I wish it to be decided solely upon its merits; but I am bound to consider, as the first duty of my position, the preservation of the discipline of the army. The hon. and gallant Member for Westminster (Captain Grosvenor) has alluded to the experience afforded by his own regiment—the 1st Life Guards; but I am sure the hon. and gallant Member will forgive me if I remind him that he can hardly compare the mode of preserving discipline in the Household Brigade in this country with that which prevails in other regiments in the army serving in different parts of the world. The hon. and gallant Gentleman will no doubt support me when I say that when a man misbehaves himself in the Household Brigade, and it is considered undesirable to retain him in the regiment, he is at once turned out, and in that case, therefore, there is no occasion to resort to the punishment which we are now discussing. The hon. and gallant Member for Truro has expressed a hope that the recruits for the army will be obtained from an improved class. I sincerely hope that such will be the case; but I must remind him, that even in that case we shall still find that where we have to deal with very large bodies of men assembled under military discipline, however high their general character may be, there will always be among them a certain proportion of inferior and abandoned characters, for whose correction it will be absolutely necessary that some severe punishment should be adopted. I can only say that if on further experience it should be found possible to do away with this particular mode of punishment as unnecessary to maintain the discipline of the army, no one will be better pleased than myself.

Mr. FAWCETT said, he felt somewhat nervous in making a few remarks after the somewhat solemn injunction of the right hon. Gentleman to avoid party spirit and to preserve calm reason. He would, however, endeavour to reason as calmly as possible when speaking upon this subject. The right hon. Gentleman said every one must admit the truth of the proposition of the hon. Member for Chatham, considered as an abstract question. In his (Mr. Fawcett's) opinion that admission, unless some strong arguments were brought to bear on the question on the other side, was conclusive that the right hon. Gentleman ought to vote in favour of it. The army was gradually becoming a skilled profession, requiring a skilled soldiery. They required skill to carry on their operations; the greatest mechanical and scientific genius was displayed in perfecting their weapons, and to use those complicated weapons they required men of intelligence to do justice to the genius that devised them. No one who had mixed at all with the class from which the army was recruited could deny that flogging in the army was positively abhorred by the people of England, and that fathers positively entreated their sons not to enter a profession in which they would be subject to such a terrible disgrace. He was not speaking a single word which was not justified by experience when he said that the effect of retaining flogging was to keep the best men in England from entering the army. The statement made by the right hon. Gentleman at the end of his speech was conclusive in favour of the Motion; for he told the House that the men in the Household Brigade felt that it was such a disgrace to be turned out of it that flogging was wholly unnecessary. If the army were properly administered, what was felt in the Household Brigade would be felt throughout every regiment in the British army. The army should be looked upon as the noblest profession a man could enter. They made this pledge to their country—that if the honour or interests of the nation required it they would freely give up their lives to maintain it. When a man did that he ought not to be treated in such a way as was allowed under the existing system, when a dismissal from the profession would be considered by him as the greatest disgrace. Flogging was not required to maintain the discipline of the police force, because the men there considered that a dismissal from it was sufficient disgrace. He was confident that they would never have the army in a proper condition until they gave up this exceptional punishment, which was not necessary to keep up the discipline. If they abolished flogging they would satisfy the wishes of the English people, and thousands would then enter the army (who were now deterred from doing so), because they would look upon it as one of the most honourable professions.

Colonel NORTH said, it was always painful to him to appear as the advocate of any punishment, particularly of one so degrading as that of flogging in the army; but since he had had the honour of a seat in that House, he felt it his duty, in the interests of the soldiers themselves, to oppose such Motions as that of his hon. Friend. The House, in considering this question, had, he thought, lost sight of the interests of the good soldiers. The problem to solve was, to invent such a punishment as would preserve discipline without diminishing the strength or increasing the duties of the well-conducted soldiers of the regiment. The case of civilians was altogether different, for offenders might be punished by imprisonment, without any injury being done to innocent parties. In the army the duties of the regiment must be performed, and every man taken away from the ranks and committed to prison, occasioned the performance of his duty to be thrown upon the shoulders of the good and efficient soldiers. The hon. Member opposite was wrong in saying that soldiers were liable to be flogged for habitual drunkenness. That punishment could not be inflicted except for drunkenness while on duty or under arms. His hon. and gallant Friend the Member for Nottingham (Mr. Osborne), who had spoken so strongly that night, had changed his opinions very considerably since they were in garrison together several years ago. Fault had been found with the system of flogging for desertion; but there was no crime, he thought, that deserved greater punishment than that of desertion. He would mention one instance in which flogging had been administered, and the case was that of a man who had deserted eleven times, and had taken eleven differrent bounties. A good deal had been said about soldiers being treated like garrotters, but there were 91 per cent of the soldiers who could not be flogged, and there was only the remaining 9 per cent who were in the second class, and thus were liable to be flogged ; though it did not at all follow that those of this class would be flogged if they committed offences. He wished to remind the House how the soldier was guarded from being flogged. He must first be tried by a court martial consisting of five officers ; and even if they awarded the punishment of flogging it could not be carried into effect without the consent of the commanding officer and general of the district, and even then the greatest number of lashes which could be inflicted was fifty. As to civil flogging, it appeared from a Report presented to them last year, that men received fifty and twenty-five lashes for breaking their cell windows, and in another case a man received thirty-six cuts for refusing to read and disrespect to a magistrate in school. He asked whether crimes of these descriptions would be punished by flogging in the army ? He (Colonel North) had been held up to obloquy by hon. Gentlemen opposite, for supporting the system of branding, which he believed to have a beneficial effect ; and it was most unfair on the part of the Admiralty that they did not carry out the system with regard to Marines who were drummed out of the service. He must say that there was no body of men who would be more grateful to any one who would invent a punishment by which flogging could be got rid of than would officers in command of troops, but till such was forthcoming the flogging system must be maintained. As to the case which had been referred to, in the 74th Highlanders, he thought that it should have been stated that three military medical gentlemen differed from the opinion which had been given as to the cause of death.

CAPTAIN VIVIAN explained that he did not believe that the man in the 74th had been killed by flogging, and he had argued on the assumption that this was not so.

COLONEL NORTH said, his complaint was that the conflict of opinion between the civil doctor and the army medical officers who saw the man in question had not been mentioned.

CAPTAIN HAYTER observed, that many of the statements which had been made in the course of the debate did not apply to this Motion at all ; some referred to what occurred in service in the field, and others to what happened at sea ; whilst this Motion applied only to time of peace, and to regiments serving on shore. There was one point which had not been referred to, and it was this. In 1846 the Prime Minister, Lord John Russell, with the sanction of the Commander-in-Chief, the Duke of Wellington, introduced the question of the reduction of the punishment of flogging to fifty lashes, and the Duke sanctioned that proposition, and a noble Earl (the Earl of Dalhousie) made a speech, the substance of which was that the punishment would be gradually abolished. A Royal Commission in 1835 had made a recommendation to a similar effect, but still since 1846 nothing had been done. The object of the Motion was not to injure the discipline of the army, but rather that bad men should be altogether eliminated from its ranks, and they only asked that the profession of arms should be placed on the same footing as all other professions. The supporters of the present Motion were speaking on behalf of those who, as a class isolated from society, could have no representatives in Parliament.

GENERAL PEEL : I can easily imagine that it is with great regret my right hon. Friend the Secretary of State for War finds it necessary, on the first occasion of his performing the duties of that office, to oppose the present Motion. Many arguments and statements have been made in the course of this debate which were well calculated to carry away the feelings of hon. Members. But I rise for the purpose of urging that they should not allow themselves to be carried away by feeling, but should coolly and deliberately consider the grave question now before us. Many arguments have been brought forward in support of this Motion, and I perfectly admit that there is but one argument which can be brought forward in answer; but that one is so conclusive that it must overrule all other arguments—that argument is that the power of inflicting this punishment is absolutely necessary to the maintenance of the discipline of the army. You have heard from my right hon. Friend that His Royal Highness the Commander-in-Chief and the Adjutant General look upon this punishment as absolutely necessary for the discipline of the army; yet, even the hon. Member who introduced the question, and those who have supported him, would not be more ready to abolish the punishment of flogging than the Commander-in-Chief if it could be done consistently with the maintenance of that discipline for which they are responsible. The position of the hon. Member is, I think, perfectly untenable; he would reserve the punishment of flogging for times of war. I tell you to make up your minds either to abolish it altogether, or to maintain it without exception—who can tell when a war exists? It may exist at this very moment. Only last night a question was asked as to the conduct of the troops at Honduras. I shall not express any opinion on that question until it is investigated; but I believe that the conduct of these troops will subject them to the greatest penalty under the Mutiny Act. Are you going to tell the men who enlist that in time of peace they are not to be subjected to capital punishments, but that they are to be flogged when in face of the enemy? If you say that, you condemn your argument altogether. I venture to say that there is no country in which it is more necessary that discipline should be maintained than in England; any irregularity of the troops in this country would be looked upon with the greatest alarm; and depend upon it that, unless an army, however small, is subject to the strictest discipline, it is perfectly intolerable. Thirty years ago a Royal Commission reported strongly, not only in favour of retaining the punishment, but against making any distinction between the service at home and the service abroad. Upon that point no distinction can be made. You enlist a man without a character; if he turn out badly you have no means of discharging him, but you require from him strict obedience, and subject him to a discipline which you could not call upon him to undergo in any other condition of life. In order, then to ensure that obedience, it is absolutely necessary that his commanders should have the power to inflict upon him a punishment which could not be inflicted upon him in any other condition of life. But, although the recruit may be a man of bad character, it is assumed that his character is good, which is a very charitable assumption, if the hon. Member for Bedford (Mr. Whitbread) be right; and the man is told that he shall not be subject to flogging until he has so degraded himself that he is passed into the second class, and that even then he will not be flogged until he has, by repeated acts of disobedience, gained for himself the character of being so incorrigible that no other punishment would have any effect. The example of one bad man will affect a whole regiment. And what do you propose to substitute for flogging? Do away with the disgraceful custom of flogging, you say, and good men will come to the service; but I say it is because flogging is a defence of the good man that I would continue it. A man of good character in the army is no more in danger of being flogged than any of us. Would you say to those whom you desire to enter the army, "Here's glorious news for you; you are no longer liable to be flogged—you will be shot instead?" That, I say, is the only substitute you could offer for some of the worst crimes; and, as I am not prepared to take upon myself a responsibility which the Commander-in-Chief and Adjutant General shrink from, I shall vote against the Motion.

Mr. WHITBREAD said, that on former occasions he had refrained from voting upon this question, as he felt the heavy responsibility of voting against a majority of military men on a military question; but he had now formed his opinion upon it. As a Member of the Royal Commission on Recruiting for the Army, he had put questions to witnesses as to the effect of flogging upon recruiting, and although the answers told in various ways, he was forced to the conclusion that the punishment of flogging was the great cause of keeping good men out of the army. Why was it, he asked, that the service was looked on with such pride in the upper classes, and with such aversion in the lower classes? He was bound to conclude that flogging was one reason for this. The service was unpopular because of the punishment; and the punishment was needed because the service was unpopular; he appealed to them to strike away the punishment and the unpopularity at the same time. There was no doubt, however, that if flogging were abolished, the commanding officers should have great powers of getting rid of bad men. He desired to explain that the descriptions "refuse" and "dregs" which he had used with reference to recruits were not his own, but quotations from the evidence of officers and men before the Commissioners.

Mr. DAVENPORT BROMLEY said, he had come to the House resolved to vote against flogging, and he intended doing so still; but he had been almost induced to change his opinion by hearing speeches from the Opposition side of the House in support of it; the remarks of the hon. Member for Nottingham (Mr. Osborne) had been most powerful in their influence in this direction. He would go beyond hon. Members opposite, and would vote for the abolition of the punishment even in time of war. He desired simply to relate one incident which weighed heavily with him. When in the Crimea he had seen a man receive fifty lashes for having thrown down his firelock and run away in the face of the enemy. He had certainly never heard of a case in which the punishment was more disproportionate to the offence.

Question put, "That the words proposed to be left out stand part of the Question."

The House *divided*:—Ayes 107; Noes 108: Majority 1.

Words *added.*

Main Question, as amended, put, and *agreed to.*

Resolved, That this House, reserving for future consideration when requisite the question of the exigencies of a state of war, is of opinion that it is unnecessary that the punishment of Flogging should be awarded during the time of peace to Soldiers of the Army or Corps of Royal Marines serving on Shore.—(*Mr. Otway.*)

AYES.

Adderley, rt. hon. C. B.
Archdall, Captain M.
Bailey, Sir J. R.
Barrington, Viscount
Beach, Sir M. H.
Beach, W. W. B.
Bentinck, G. C.
Benyon, R.
Biddulph, M.
Bridges, Sir B. W.
Brooks, R.
Bruce, Sir H. H.
Burrell, Sir P.
Calcraft, J. H. M.
Cartwright, Colonel
Cave, rt. hon. S.
Chatterton, H. E.
Clinton, Lord E. P.
Clive, Capt. hon. G. W.
Cole, hon. H.
Cole, hon. J. L.
Curzon, Viscount
Dickson, Major A. G.
Dimsdale, R.
Disraeli, rt. hon. B.
Du Cane, C.
Dyott, Colonel R.
Earle, R. A.
Eckersley, N.
Edwards, Sir H.
Egerton, hon. A. F.
Egerton, E. C.
Egerton, hon. W.
Fane, Colonel J. W.
Fergusson, Sir J.
Floyer, J.
Forester, rt. hon. Gen.
Garth, R.
Gilpin, Colonel
Goldney, G.
Gore, J. R. O.
Hamilton, Lord C.
Harvey, R. B.
Hay, Sir J. C. D.
Herbert, hon. Col. P.
Hervey, Lord A. H. C.
Hildyard, T. B. T.
Hodgson, W. N.
Hogg, Lieut.-Col. J. M.
Hood, Sir A. A.
Hunt, G. W.
Karslake, Sir J. B.
Karslake, E. K.
Kavanagh, A.
Kendall, N.
King, J. K.
King, J. G.
Kingscote, Colonel
Knox, hon. Major S.
Lennox, Lord H. G.
Lindsay, hon. Col. C.
Lindsay, Colonel R. L.
Lowther, J.
Malcolm, J. W.
Manners, rt. hn. Lord J.
Montgomery, Sir G.
Morgan, O.
Morris, rt. hon. M.
Mowbray, rt. hon. J. R.
Neville-Grenville, R.
Nicholson, W.
North, Colonel
O'Neill, E.
Paget, R. H.
Pakington, rt. hn. Sir J.
Peel, rt. hon. General
Powell, F. S.
Repton, G. W. J.
Ridley, Sir M. W.
Robertson, P. F.
Rolt, Sir J.
Russell, Sir C.
Schreiber, C.
Selwyn, C. J.
Severne, J. E.
Seymour, G. H.
Simonds, W. B.
Smith, A.
Smollett, P. B.
Stanley, Lord
Stanley, hon. F.
Stirling-Maxwell, Sir W.
Stopford, S. G.
Surtees, H. E.
Sykes, C.
Tottenham, Lt.-Col. C. G.
Trevor, Lord A. E. Hill-
Vance, J.
Vandeleur, Colonel
Verner, E. W.
Walker, Major G. G.
Walpole, rt. hon. S. H.
Walrond, J. W.
Whitmore, H.
Williams, F. M.
Wyndham, hon. P.
Wyvill, M.

TELLERS.

Taylor, Colonel
Noel, hon. G. J.

NOES.

Akroyd, E.
Amberley, Viscount
Ayrton, A. S.
Baines, E.
Barclay, A. C.
Barnes, T.
Beaumont, H. F.
Blake, J. A.
Blennerhasset, Sir R.
Brady, J.
Bright, Sir C. T.
Briscoe, J. I.
Bromley, W. D.
Bryan, G. L.
Butler, C. S.
Buxton, C.
Calthorpe, hn. F. H. W. G.
Candlish, J.
Chambers, M.
Childers, H. C. E.
Cogan, rt. hon. W. H. F.
Craufurd, E. H. J.
Crossley, Sir F.
Dalglish, R.
Denman, hon. G.
Dillwyn, L. L.
Eaton, H. W.
Edwards, C.
Eykyn, R.
Fawcett, H.
Fordyce, W. D.
Forster, C.
Forster, W. E.
Gaskell, J. M.
Gavin, Major
Gilpin, C.
Glyn, G. G.
Graham, W.

Greville-Nugent, Col.
Gridley, Captain H. G.
Grosvenor, Capt. R. W.
Hadfield, G.
Hankey, T.
Harris, J. D.
Hartley, J.
Hayter, Captain A. D.
Henderson, J.
Herbert, H. A.
Holden, I.
Howard, hon. C. W. G.
Hughes, T.
Jervis, Major
Lawson, rt. hon. J. A.
Lechmere, Sir E. A. H.
Leeman, G.
Lefevre, G. J. S.
Lennox, Lord G. G.
Lusk, A.
MacEvoy, E.
M'Laren, D.
Marsh, M. H.
Merry, J.
Mill, J. S.
Mitchell, T. A.
Monk, C. J.
Murphy, N. D.
Neate, C.
O'Beirne, J. L.
O'Brien, Sir P.
O'Conor Don, The
O'Donoghue, The
Oliphant, L.
Osborne, R. B.
Pease, J. W.
Peel, A. W.
Pelham, Lord
Potter, E.
Potter, T. B.
Power, Sir J.
Pugh, D.
Rearden, D. J.
Russell, Sir W.
Scholefield, W.
Scott, Sir W.
Seely, C.
Seymour, H. D.
Sheridan, H. B.
Sherriff, A. C.
Simeon, Sir J.
Smith, J. B.
Stock, O.
Stuart, Col. Crichton-
Stucley, Sir G. S.
Sullivan, E.
Synan, E. J.
Taylor, P. A.
Torrens, W. T. M'C.
Trevelyan, G. O.
Vanderbyl, P.
Vivian, Capt. hn. J. C. W.
Waring, C.
Warner, E.
Watkin, E. W.
Whitbread, S.
White, J.
Williamson, Sir H.
Wyld, J.
Young, R.

TELLERS.

Otway, A. J.
Anson, Major

SUPPLY—ARMY ESTIMATES.

Resolved, That this House will immediately resolve itself into the Committee of Supply.

SUPPLY—*considered* in Committee.

(In the Committee.)

Land Forces, Pay, and Allowances, &c., on account	£1,700,000
Commissariat Establishment, Services, and Movement of Troops, on account	400,000
Clothing Establishments, Services and Supplies, on accouut	150,000
Barrack Establishment, Services, and Supplies, on account	200,000
Divine Service, on account	14,000
Administration of Martial Law, on account	7,000
Hospital Establishment, Services and Supplies, on account	80,000
Disembodied Militia, on account ..	280,000
Yeomanry Cavalry, on account ..	28,000
Volunteer Corps, on account ..	120,000
Enrolled Pensioners and Army Reserve Force, on account	16,000
Manufacturing Departments and Materials for Warlike Stores, on account	360,000
Military Store Establishment and Purchase of Warlike Stores, on account	130,000
Superintending Establishment of, and Expenditure for Works, Buildings, and Repairs, at Home and Abroad, on account	250,000
Military Education, on account ..	£53,000
Surveys of the United Kingdom, on account	29,000
Miscellaneous Services, on account	49,000
Administration of the Army, on account	74,000
Rewards for Military Service, on account	13,000
Pay of General Officers, on account	36,000
Pay of Reduced and Retired Officers, on account	231,000
Widows' Pensions and Compassionate Allowances, on account	79,000
Pensions and Allowances to Wounded Officers, on account	12,000
Establishments of Chelsea and Kilmainham Hospitals, and Charge for In-Pensioners, on account ..	18,000
Out-Pensioners, on account	591,000
Superannuation and Retired Allowances, on account	68,000
Disembodied Militia, Yeomanry Cavalry, and Volunteer Corps, on account	12,000

MR. AYRTON wished to know up to what period these Votes on Account would last?

SIR JOHN PAKINGTON replied that, with one or two exceptions, they were one-third of the total amount of the Army Estimates.

SUPPLY—NAVY ESTIMATES.

(28.) £1,000,000, Wages, &c., to Seamen and Marines on account.

MR. AYRTON inquired if this Vote bore the same proportion to the entire Estimates as the former Votes?

LORD HENRY LENNOX said, that the total amount was £2,900,000, and the present Vote was on Account. There appeared to be a general agreement in the House last night that, considering the state of business, that Vote might be taken.

Vote *agreed to.*

SUPPLY—CIVIL SERVICE ESTIMATES.

That a sum, not exceeding £1,924,000, be granted to Her Majesty, on account, for or towards defraying the Charge of the following Civil Services, to the 31st day of March, 1868:—

Class I.

Royal Palaces	£6,000
Public Buildings	25,000
Furniture of Public Offices	3,000
Royal Parks and Pleasure Gardens ..	25,000
New Houses of Parliament	10,000
New Foreign Office	13,000
Public Offices, Site (Re-Vote) ..	15,000
Probate Court and Registries (Re-Vote)	8,000
Public Record Repository (Re-Vote)	3,000

University of London Buildings	£5,000
Chapter House, Westminster	3,000
Sheriff Court Houses, Scotland	5,000
Rates for Government Property	7,000
British Consulate and Embassy Houses, Constantinople	1,000
Metropolitan Fire Brigade	3,000
Harbours of Refuge	20,000
Holyhead and Portpatrick Harbours, &c.	8,000
Public Buildings, Ireland	19,000
Ulster Canal	2,000
Lighthouses Abroad	5,000

Class II.

Two Houses of Parliament, Offices	18,000
Treasury	14,000
Home Office	7,000
Foreign Office	16,000
Colonial Office	9,000
Privy Council Office	7,000
Board of Trade, &c.	9,000
Privy Seal Office	1,000
Civil Service Commission	3,000
Paymaster General's Office	6,000
Exchequer and Audit Department	10,000
Office of Works and Public Buildings	9,000
Office of Woods, Forests, and Land Revenues	7,000
Public Record Office	6,000
Poor Law Commissions	25,000
Mint, including Coinage	12,000
Inspectors of Factories, Fisheries, &c.	10,000
Exchequer and other Offices in Scotland	2,000
Household of Lord Lieutenant, Ireland	2,000
Chief Secretary, Ireland, Offices	4,000
Office of Public Works, Ireland	7,000
Copyhold, Tithe, and Inclosure Commission	6,000
Inclosure and Drainage Acts; Imprest Expenses	3,000
General Register Offices, England, Ireland, and Scotland	17,000
National Debt Office	4,000
Public Works Loan Commission and West India Relief Commission	1,000
Lunacy Commissions and Inspection, &c., of Lunatic Asylums	4,000
Superintendent of Roads, South Wales	1,000
Registrars of Friendly Societies	1,000
Charity Commission	5,000
Local Government Act Office, and Inspection of Burial Grounds	2,000
Landed Estates Record Offices	1,000
Quarantine Expenses	1,000

Secret Service	8,000
Printing and Stationery	90,000
Postage of Public Departments	38,000

Class III.

Law Charges, England	9,000
Criminal Prosecutions, &c.	48,000
Police, Counties and Boroughs, Great Britain	66,000
Admiralty Court Registry	4,000
Late Insolvent Debtors' Court	1,000
Probate Court	22,000
County Courts	37,000
Land Registry Office	2,000
Police Courts, Metropolis	6,000
Metropolitan Police	41,000
Bankruptcy Court Compensations	4,000
Common Law Courts, including Crown Office, Queen's Bench	£13,000

Criminal Proceedings	18,000
Courts of Law and Justice, including Accountant in Bankruptcy, and Exchequer, Scotland, Legal Branch	12,000
Register House, Edinburgh, Salaries and Expenses of Sundry Departments	5,000

Law Charges and Criminal Prosecutions	12,000
Court of Chancery	2,000
Court of Queen's Bench, Common Pleas, and Exchequer	4,000
Officers of the Judges on Circuit	2,000
Manor Courts' Compensation	1,000
Registry of Judgments	1,000
Registry of Deeds	4,000
Court of Bankruptcy and Insolvency	2,000
Court of Probate	3,000
Landed Estate Court	3,000
Process Servers, Civil Bill Courts	3,000
Dublin Metropolitan Police and Police Justices	13,000
Constabulary of Ireland	208,000
Four Courts Marshalsea Prison	1,000

Inspection and General Superintendence	5,000
Prisons and Convict Establishments at Home	83,000
Maintenance of Prisoners in County Gaols, &c. and Removal of Convicts	72,000
Transportation of Convicts	6,000
Convict Establishments in the Colonies	38,000

Class IV.

Public Education, Great Britain	174,000
Science and Art Department	44,000
Public Education, Ireland	85,000
University of London	3,000
Universities, &c. in Scotland	5,000
Queen's University in Ireland	1,000
Queen's Colleges, Ireland	2,000
Belfast Theological Professors, &c.	1,000
British Museum	25,000
National Gallery	4,000
Scientific Works and Experiments	2,000
Board of Manufactures, Scotland	1,000

Class V.

Bermudas	1,000
Clergy, North America	1,000
Governors and others, West Indies, &c.	6,000
Justices, West Indies	2,000
Western Coast	5,000
St. Helena	2,000
Falkland Islands	2,000
Labuan	1,000
Emigration	3,000

Treasury Chest	1,000
Captured Negroes, Bounties on Slaves, &c.	8,000
Commissions for Suppression of Slave Trade	3,000
Consuls Abroad	42,000
Services in China, Japan, and Siam	32,000
Ministers at Foreign Courts, Extraordinary Expenses	9,000
Special Missions, Outfits, &c.	9,000
Third Secretaries to Embassies	1,000

Class VI.

Superannuation and Retired Allowances	£47,000
Polish Refugees and Distressed Spaniards	1,000
Merchant Seamen's Fund Pensions, &c.	14,000
Relief of British Distressed Seamen ..	8,000
Miscellaneous Charges, formerly on Civil List	1,000
Public Infirmaries, Ireland	1,000
Hospitals in Dublin and Board of Superintendence	4,000
Concordatum Fund, and other Charities and Allowances, Ireland ..	3,000
Non-Conforming and other Ministers, Ireland	11,000

Class VII.

Temporary Commissions	8,000
Patent Law Expenses	8,000
Fishery Board, Scotland	4,000
Local Dues on Shipping under Treaties of Reciprocity	14,000
Inspectors of Corn Returns	1,000
Household of the late King of the Belgians	1,000
Miscellaneous Expenses from Civil Contingencies	20,000
Total ..	£1,924,000

MR. DARBY GRIFFITH said, he should like to know what course the Government proposed to take with regard to the Estimates. Supposing they took money sufficient to last for four months, they might not go into Supply again until that time. He wished to know whether the Secretary for War would bring on the Votes again within any reasonable time, for some opportunities of discussion ought to be afforded.

SIR JOHN PAKINGTON said, he might appease the alarm of his hon. Friend by informing him that it was intended to proceed with the Army Estimates on Monday, if there should be sufficient time after the introduction of the Reform Bill.

MR. DARBY GRIFFITH thought that would be a most inconvenient time.

Vote *agreed to.*

House *resumed.*

Resolutions to be reported upon *Monday* next; Committee to sit again upon *Monday* next.

CHARITABLE DONATIONS AND BEQUESTS (IRELAND) BILL.

(*Mr. Solicitor General for Ireland,* (*Mr. Attorney General for Ireland.*)

[BILL 49.] SECOND READING.

Order for Second Reading read.

THE SOLICITOR GENERAL FOR IRELAND (Mr. CHATTERTON), in moving the second reading of this Bill, said, that it was based upon Resolutions adopted by the Board of Charitable Donations, and it had received the approval of a fully attended meeting of that Board. The Bill differed from that brought in by the hon. Member for Waterford (Mr. Blake) last year in leaving the constitution of the Board untouched, and in imposing no additional burden upon the Consolidated Fund. The Bill was intended chiefly to remove the difficulties and simplify the procedure in relation to charitable bequests in Ireland. It provided that any trustees of charitable property should have the power of applying for advice from the Board of Trustees, and that the advice obtained would indemnify them from responsibility, provided the application had been free from misrepresentation and fraud. That provision would not, however, prejudice third parties, but would only indemnify the trustees. The Board, too, might, with their own consent, be nominated as trustees of charitable funds. There were other provisions providing for a speedy and economical mode of recovering small bequests, and it was hoped that the Bill would remedy a great many evils connected with the present state of charitable bequests and donations in Ireland.

Motion *agreed to.*

Bill read a second time, and *committed* for *Friday*, 5th April.

MUTINY BILL.

Bill "for punishing Mutiny and Desertion, and for the better Payment of the Army and their Quarters," *presented,* and read the first time.

House adjourned at half after
Twelve o'clock, till
Monday next.

[APPENDIX.

APPENDIX.

Speech of the RIGHT HON. C. P. VILLIERS on the Second Reading of the "METROPOLITAN POOR BILL," February 21.

[*A Revised Report.*]

MR. C. P. VILLIERS: * Sir, I rise to express my concurrence in the sentiments which have fallen from those hon. Gentlemen who have spoken generally in favour of this measure. I coincide entirely in approving of its purpose and its principle. The Bill, if I understand it properly, is meant to provide for the better treatment of the sick poor in the infirmaries of the metropolitan workhouses—an object greatly to be desired, inasmuch as it is proved that in many respects the present system has failed. I look upon the principle on which the right hon. Gentleman (Mr. Gathorne Hardy) proposes to proceed for this purpose as a sound one, as being in conformity with the true principle of the new Poor Law itself, and of that more recent legislation by which the area of charge was extended, and the burden of maintaining the poor distributed over a larger district than the mere locality supposed to be peculiarly liable. That principle of extending the area of charge goes far to touch, in my opinion, as the hon. and learned Member for the Tower Hamlets (Mr. Ayrton) stated the other night, the root of much of the mismanagement which takes place both in town and country. By this means you increase the chance of intelligent management, and you weaken the motive for that kind of local parsimony which is very frequently mistaken economy, and is attended with great mischief to the poor. I have also to congratulate the right hon. Gentleman on the view he now takes as to the means by which the condition of the sick poor in the metropolis can be improved; and that, profiting by the experience of a few months, he has seen the wisdom of seeking fresh powers from the Legislature, and not relying merely upon the imperfect authority under which he now acts, or engaging at law in unseemly contests with Boards of Guardians. I felt sure that with his intelligence he would soon perceive the difference between the technical interpretation of the law from which his powers are derived, and its practical application under existing circumstances. I think, moreover, that the right hon. Gentleman is quite right in not losing time in coming to this House for the additional powers which he requires. He has acceded to his post at a time when the feeling of distrust and jealousy of the Central Board which has prevailed ever since the enactment of the Poor Law thirty-two years ago, seems for a while to have subsided. This is, perhaps, the first time since the creation of the Board when a reproach that it had not acted with sufficient rigour would not have been received with ridicule. It is the antagonism which has so often been shown to that Board on the part of the public which has prevented the full development of the law, and which, as the right hon. Gentleman must admit, has rendered it almost impossible to give full effect, until recently, to its provisions. To that same hostile feeling, he must also know, the appointment of the Committee, to which he himself alluded, was to be attributed. That feeling was exhibited peculiarly in 1860, when an application was made for the renewal of the Poor Law Commission. All that had ever been said against the Board was then urged by Members representing important constituencies; and, notwithstanding the appeal which was made by Lord Palmerston, Sir George Lewis, and other distinguished persons, there was a majority against the renewal of the Commission for the usual period, and against the Government, of no less than 3 to 1. The Commission was, indeed, only renewed for a shorter period than was proposed, on the undertaking that a searching inquiry should be instituted into the administration and operation of the Poor Law from the time of its existence. It was at that time, I think, that upwards of 100 memorials, coming from as many unions, were presented to this House, praying that the Board might either be deprived of some of the most important powers which it possessed or discontinued altogether. Thus matters stood in 1860, and in the following year a Committee was appointed to investigate the subject. That Committee did not originate with the Government, but was a Committee insisted upon emphatically by the House itself. There was a most unusual number of Members placed upon that Committee for the purpose of making a searching investigation into the operation of the law; and so strong was my feeling upon that occasion that it was a question as to whether the Board should be continued or not, that I stated to the Committee that it would be improper for the President of the Poor Law Board to preside over that Committee, and, indeed, it was only in consequence of the very courteous request unanimously expressed that I should take the chair, that I consented to do so. I mention this to show what was at that time the ill feeling towards the Central Board, which at this day is censured because, as it was thought, it had not acted with sufficient energy, and had not more frequently engaged in conflict and collision with the local authorities. For some weeks at first, that Committee was engaged in investigating a charge, which was generally credited in the country, that owing to embarrassing and vexatious regulations on the part of the Board interfering with the discretion of the local authorities, the guardians of unions and parishes in London had not been able to make effective arrangement for the relief of the poor during the severe winter of 1861, when swarms of people were thrown out of employment, and were in the greatest distress. There was almost a panic in the metropolis, and the rumour industriously circulated was that the guardians would have been equal to the emergency but for the interference of the Poor Law Board. The prejudice against the Board was never higher than at the period to which I am referring. The Committee began its labours in 1861, and did not bring them to a close till 1864. After having examined witnesses of every class, the Committee, though it commenced the inquiry under all this ill will against the Board, came to the conclusion that the Board ought to be continued, and that the power which was especially objected to—namely, the power of issuing orders, which were said to have the effect of law, and therefore to be unconstitutional, ought also to be continued. The Committee also expressed their opinion that these orders had only been issued for the benefit of the poor, and of the persons whom they concerned. Looking at the spirit in which that inquiry was commenced, and the very hostile feeling manifested by the guardians towards the Central Board, and I may almost say by the public also, owing to the excessive power which, as they considered, it possessed, it would not have been prudent on the part of the Board if they had chosen that opportunity to proceed against the guardians in Courts of Law, and to engage in what the right hon. Gentleman termed "unseemly collision" with the local authorities. And I think if the right hon. Gentleman shrunk from doing so in the past autumn, when public opinion had so much changed, and circumstances so much favoured his proceedings, that I cannot be blamed for not having commenced legal proceedings during the time that the Committee was sitting. I am not complaining of the remarks made by the right hon. Gentleman; but when reflections are cast upon the Board for not having acted with more energy against the local authorities, I wish to remind the House of the state of feeling against the Central Board during that period. If the right hon. Gentleman is able to take action now it is because a better feeling has, for various reasons to which I will not allude, arisen for some time past towards the Central Board. The right hon. Gentleman, at the commencement of his speech the other night, referred to the opinion expressed by that Committee, that the provision made for the medical relief of the poor was satisfactory, and that they saw no reason to recommend any change in it. That was the opinion of the Committee, nor can they be fairly blamed for coming to that conclusion. They examined witnesses, called before them a number of medical men, and had besides a vast amount of documentary evidence on the subject. They also had before them the Reports of two Committees of this House, which were appointed for the distinct purpose of inquiring into that matter. And the recommendations which had been made by both those Committees had been strictly carried out by the Poor Law Board. The Committee arrived at its conclusion in consequence of observing that great improvements had taken place in the position of the medical officers; that additional facilities had been given to the poor in having access to medical relief; and they could not do other than conclude that, at the time of this investigation, the poor were treated better than they ever had been before. I do not say that that is an excuse for the evils that still exist, and I cannot deny that the present system is very defective. But at the time when the Committee were pursuing their inquiry, the arrangements providing for medical relief were better than they had been at any previous period. The Committee of 1854 recommended that the medical officers should be made independent by being elected for life instead of annually, and that any treatment which they suggested for the sick poor should be complied with by the guardians. Now, that was a very important change in the position of the medical officers, who thus became independent of the will and caprice of the guardians. The Committee of 1861 found, likewise, that the amount paid in salaries of the medical officers had been increased, that their districts had been diminished, and that more officers had been appointed. They also had before them the regulations which the Poor Law Board had framed with a view to the attention which the sick poor in the workhouses were to receive from the guardians and medical officers; and these, doubtless, had much influence on the Committee in leading them to express their satisfaction with the arrangements made for the medical treatment of the poor. The regulations to which I am referring were drawn up by some of the wisest and ablest men that have ever acted in connection with the Poor Law Board—namely, Sir George Nichol, Sir George Lewis, and Sir Edmund Head. They, as I know, devoted much time to the subject, and drew up orders for the general relief of the poor, giving special attention to the relief of the sick poor. In these orders the medical officers are required to be competent persons—that is to say, that there should be no longer any competition by tender, as was formerly the practice, and that no person should be appointed who had not received a diploma, or certificate from some University or other competent institution, declaring that he was a fit person to practice medicine and surgery throughout the United Kingdom. They next decided that his salary should be fixed, and that he should be as much aware of the circumstances of his position as a clergyman or curate should be before he accepted his preferment. They then empowered the medical officer to call upon the guardians to provide whatever in his opinion would conduce to the comfort, health, and recovery of the patient. They further made a regulation which was to be binding upon every medical officer with the view to prevent improper crowding, and they state, in their Report to Parliament, that they had felt it desirable to take these precautions in order to render it difficult for the overcrowding of inmates to occur again. They further made it a positive duty of the medical officer to report in writing to the guardians any defect in diet, ventilation, warming, or any other arrangement of the workhouses, and any excess in the number of inmates which would be detrimental to the health of the inmates. And these regulations every medical officer is well acquainted with when he accepts his office. But the Commissioners were not satisfied with this direction to the medical officers. They provided, likewise, that the guardians should appoint a certain number of their own body to act as a visiting committee; and the persons so named or told off by the guardians for this purpose were called upon to visit every sick ward, to see every sick patient, and to make an entry in writing of the condition in which they found each ward. And not only were they called upon to make these entries in a book, but that book was to be printed and brought before the Board of Guardians every week, in order that its contents might be taken into consideration. Looking, therefore, at the fact that the management of every workhouse is vested in the guardians by law, that they have complete control over every department, and that every person connected with these establishments is appointed and employed by them, it is clear that if these directions had been attended to cases like those which have been lately made public could not have occurred. The Committee of 1861 were doubtless satisfied at the manner in which the Poor Law Board had carried out the recommendations of former Committees; but if the regulations of the Poor Law Board are not attended to by the guardians, abuses and irregularities of every kind are certain to occur. It was only a few months, indeed, after the Report of that Committee was published that the unfortunate case of the man Gibson, to which the right hon. Gentleman referred the other night, occurred in the Bloomsbury Workhouse. This is precisely a case in point, for the observance of the Poor Law regulations would have just prevented the neglect and the abuses which are said to have there occurred. At the coroner's inquest which took place in reference to this event the jury found that, although the unfortunate man must have died in any case from the pressure of serum on the brain, yet that his death was accelerated by the neglect of all the officers of the workhouse, including the master, the doctor, the visiting committee, and the attendants upon the patients. This neglect occurred in a very wealthy and important district, and not only had these very guardians received a copy of the regulations, but on account of their avowed defiance of the Board proceedings had been instituted against them in the Court of Queen's Bench by the Poor Law Board. In these proceedings, however, the Poor Law Board had been unsuccessful, as the guardians were protected by a local Act, which seemed to give them an independent management of their poor. On that occasion I remember that I sent for the list of the guardians then in power, and certainly, looking to their description and station in life, it was impossible to imagine a more respectable body of gentlemen associated for the purpose, and one would have thought it impossible to select persons to fulfil that office who would have been more likely to attend to their duties. And no persons, no doubt, were more shocked at the disclosures that took place than those who formed that Board; but they knew nothing of what was going on. Every regulation which had been made, every precaution which had been directed, had been neglected. The doctor had not duly attended the man. The visiting committee had not examined the wards. There had been no report made as to the doctor's or inspector's request for the improvement of the wards. There was no evidence of the mismanagement that was going on to be found in the books, or in the entries made by the direction of the Poor Law Board. This was a case, no doubt, where the disclosures peculiarly shocked the public, and it had this redeeming circumstance about it, that it probably had the effect, above every other, of awakening the feelings of many intelligent and benevolent persons relative to the attention which the sick poor actually received in these infirmaries; and when these and other similar cases came to be known and understood, they doubtless tended much to change the public feeling with regard to a Central Board, and impressed them rather with the necessity of adding to its powers than curtailing them. After this case was brought before the public numerous communications were received by the Poor Law Board with regard to other unions, some, indeed, from inmates themselves; and it was impossible not to see that an impression prevailed that the sick poor of these infirmaries were practically much neglected or insufficiently attended to. Among other communications which reached the Board was one from no less a person than Miss Nightingale, who, from her general experience, and from directing her attention particularly to the subject, pressed upon them the great importance of having properly trained persons to attend upon the sick, and considered that the attendance of trained nurses upon these unfortunate people was almost of more importance than the attendance of doctors or the administration of medicine. This case also gave rise to that very important and interesting inquiry which was conducted by three well-known medical gentlemen—Dr. Hart, Dr. Carr, and Dr. Anstie—who, after visiting every workhouse infirmary in London, came to the conclusion that these workhouse infirmaries, judging them by the high standard regarded at present in our public hospitals, were unfit for the treatment of the sick. Their evidence was sufficiently confirmed by the very intelligent and able reports made afterwards by the direction of the Board by Dr. Smith and Mr. Farnall, and again by the medical gentleman appointed for the purpose by the right hon. Gentleman opposite. These inquiries produced a great effect on the country, and by this means legislation has become possible in the matter. The question for the decision of the House is a very important one. A vast number of sick and destitute persons have by law a claim for relief upon the State; and from the benevolent feelings which have been manifested, both in and out of this House, it is evidently the universal desire that these people, numerous as they are, should be relieved and treated in a manner most conducive to their comfort and their recovery. Having this object in view, and with the information we now possess, we are in a position to judge of the measure which has been introduced by the right hon. Gentleman. In the face of our past experience no doubt can exist that, in the first place, the sick poor must be treated distinctly and separately from all other paupers who have to be provided for in the workhouses. That I understand to be an opinion distinctly adopted by the right hon. Gentleman and by the public generally. The right hon. Gentleman has, indeed, made a statement with regard to the treatment of these unfortunate persons which have excited great interest, and, perhaps, apprehension on the part of some persons. He has made the admission clearly and distinctly that these persons form a charge upon the metropolis generally; that they should no longer constitute a local burden upon its various districts, inasmuch as their health and recovery are a matter of general and not of local concern; and that the charge incurred in their behalf should be borne in consequence by the property of the whole metropolis. This is a most important admission; for, unless this principle is acted upon, there will be but small chance of any improvement being permanent. It is one that has been contended for by some Members on the score of justice for some years past; but, looking to the excuses made for past neglect, it is important in every respect. I have always considered it to be just, and that the time must come when it would be admitted. The right hon. Gentleman, however, goes even further in support of it when he says it belongs to a class of expenditure connected with the Poor Law which may be regarded as fixed in character and limited, or — to use his expression — as not likely to be jobbed; that the number of the sick are not likely to be increased by any want of judgment or honesty in the administration of the relief; that illness among the poor is an evil they would themselves do anything to avert; that it is, as it were, a given quantity; and that, in certain districts, it is just to throw the charge over the whole area where they dwell. This has already in some respects been acted upon in the metropolis, and the right hon. Gentleman has appropriately referred to the Act under which Sir Robert Peel, with the view to relieve local property, cast the charge for medical officers of unions and others upon the Consolidated Fund. I believe this policy is a sound one, and that where there are fixed charges of this kind they should be borne generally. The charge for the poor is as much a national charge as the interest on the National Debt, or the public service, and it is only fair, when we can safely do so, to place it on the whole property of the country. From the great fear of indefinitely increasing the charge for the poor, there has been a great reluctance hitherto to admit this doctrine; but in this case I doubt if there is any danger, and, in my opinion, at present the charge of the poor rate is very capricious and unfair. The State undertakes to support the destitute poor of this country, and it seems to me that there is considerable injustice, and something like caprice, in saying that persons shall only be liable to contribute to the poor whose property is local and visible. That might be right when the Poor Law originated, because there was then little property that was not tangible; but I think it unjust, seeing how various are the descriptions of other property now held by individuals, that they should not contribute in proportion to that property to this national charge, where it can be done without danger; and if there is a class of Poor Law expenditure which cannot be increased by jobbery, or maladministration, it is to be regretted that it cannot be fixed on the property of the country; and, indeed, the same principle which now casts these charges on a common fund of the metropolis seems to point also to the Consolidated Fund. I do not complain of the measure of the right hon. Gentleman—I hail it with satisfaction; but I think his reasoning in support of it would carry him somewhat further. I do not express that opinion for the first time. I was acting on the original Commission appointed to inquire into the old Poor Law, and I was struck upon that inquiry by the extraordinary unfairness in which the charge for the poor fell in different parts of the country, and on different persons, and the vast number who, indeed, then were wholly exempt from a charge which ought to fall on every man with the means of contributing to it. This however, shows the importance that attaches to the measure now before us. Seeing that this Bill is an extension of a better system of distributing the charge for the poor, which has recently been adopted by the House, and, as I value it very much for the consequences which will flow from it, I should be the last person to throw any impediment in the way of its passing; but I think the right hon. Gentleman must expect to meet with some—

I do not say opposition—but some questioning as to the manner in which he has applied his principle. It seems to me that application is hardly sufficient. Considering the admissions he has made, I hardly think his principles are fully carried out by the Bill he has introduced. So far as I understood him—I was not present when he delivered it, but I have read his speech in the newspapers—I collected that he was going to cast the sick poor of the metropolis on the property of the metropolis. In looking at the Bill I find there are exceptions to be made in that respect, and he will, I think, be required to state his reasons for drawing the line where he has, as to the class of sick to be supported by the common fund, and those still to be a local charge. If I understand it rightly, the sick that are to be charged upon the general fund are only those who are visited with scarlet fever, small pox, and madness. All other sick are to be supported by the local fund. Now, I cannot quite understand the reason of this; I think it quite reasonable for the right hon. Gentleman to say that no person will simulate the diseases that he places on the general fund; and he is going, I believe, to erect asylums in which he will place persons affected with those particular diseases; and wherever any of the other sick are to be placed they will be separated entirely from the other poor. Then, I want to know why, if persons with scarlet fever, small pox, and madness in these infirmaries or asylums are thrown on the common fund, why those with cancers, syphilis, or bronchitis are not to go on the general fund likewise? Surely these diseases would not be simulated any more than fever or small pox. Indeed, I might ask, why the charge for the sick in general in the workhouses should not be placed on the general fund. If they are destitute and sick, and maintained already in the union infirmary, why should that maintenance not be carried to the general fund? Then, looking to the great conclusion we have arrived at from past experience—namely, that the guardians have no aptitude for superintending the treatment of the sick, I hardly understand their position in these asylums. I do not conceive that guardians are qualified to be placed at the head of medical establishments. The general belief that has hitherto existed is, that because guardians took one view and the doctors another as to what might be necessary for the treatment of their patients, the guardians considering it to be their chief duty to curtail the expenditure, the poor in consequence have not been properly treated, and the regulations of the Poor Law Board, which required harmonious action between the guardians and doctors, have not been successful. The doctors have called for more ventilation, more attendants, and some change in the structure of the house; but they have met with refusal from the guardians on the ground of expense—partly because the guardians do not appreciate the present requirements for the treatment of the sick—not that they are chargeable with any want of humanity, but because they are persons whose previous experience as well as their sense of duty lead them to look to economy more than the importance of sanitary regulations, and object to what the doctors require on the score of increased expense. The doctors go on remonstrating; but the places remain ill-ventilated, the attendance is insufficient, and the result is that these disclosures take place. Under these circumstances, I cannot but think that these poor people should be treated as in hospitals, superintended by persons whose education and interests qualify them for the post. But so much having been seen to show the inappropriateness of the guardians superintending establishments for the sick, I do not understand why the right hon. Gentleman, in providing these asylums or hospitals, should place guardians at their head. Is not this tantamount to the continuance of the system which has already failed? It is true the right hon. Gentleman proposes to prevent the repetition of mischiefs which have heretofore occurred in the infirmaries by associating nominees of his own with them in the proportion to one-third. But in looking for the qualifications of such persons for the office, I find that it is rateable value. That is certainly a questionable qualification for persons who are to have the superintendence of medical establishments; and I should rather have thought that the best persons to associate with the guardians would have been persons who were known to be qualified for the purpose, or who might have a personal interest in discharging their duty. What we want is competency in those appointed to this office—persons who feel themselves strictly responsible for the discharge of the duties imposed on them, and for this purpose, if remuneration is necessary, it should be provided. I hope the right hon. Gentleman will direct his attention to this point;

because the criticisms on his Bill that one hears of are very much founded on the question of nominees or persons to manage the asylums. With respect to the better treatment of the sick poor generally in the metropolis, I must say that it will be incomplete if we do not deal with a portion of the case not much spoken of, but which, perhaps, is more important than any other—I mean the treatment of the outdoor sick. They exceed the indoor sick poor, and, of course, if their cases are not properly attended to, the spread of illness by their means is much more likely to occur than in the case of the indoor sick. By a Return that I moved for, it appears that the outdoor cases of acute disease are more numerous than the chronic cases, which shows farther the necessity for dealing with this point, as these poor people, of course, become more dangerous to the public health than those within the house. The provisions of the Bill which proposes to establish dispensaries have peculiar interest on this account. I think that the right hon. Gentleman said that he took the idea of establishing them from the experience of similar institutions in Ireland, and certainly it is calculated to meet to a certain extent the case of the outdoor poor. At present the public know little about their treatment at their wretched homes, or what may be their end; whereas, in the case of deaths occurring among the indoor sick, very often a coroner's inquest is held, and if there has been neglect, great sensation is produced. As far as I understand, there will, by means of the establishment of these dispensaries, be more attention paid by the medical officers to the outdoor sick; care will be taken that proper medicines are administered; the prescriptions are to be written by the medical men; and those, I presume, will be recorded at the dispensary. That is, no doubt, a great improvement, and I hope the right hon. Gentleman has, as far as necessary, inquired into the management of public dispensaries where they exist at present; because it is said that great frauds are often practised there, and that a great number of persons not entitled to be relieved at the public expense yet obtain medical relief at the cost of the district. The statement of the right hon. Gentleman with regard to the assistance he received in providing for this system very strongly recommends itself to me; because I have the greatest confidence in the acuteness, industry, and soundness of view of the gentleman whom he consulted, and who went to Ireland, and I am sure the whole matter will be carefully considered. I allude to Mr. Lambert. I think this part of the Bill, if properly developed, may prove a most substantial improvement in the present system. What is not so easy to understand at present is why the expense of these dispensaries, and of all the persons relieved medicinally by them, though they may be persons without any specific maladies, is to be cast on the common fund, while the general indoor sick are thrown upon the local fund. If a medical officer should think more nutritious diet and not medicine was required by a patient of the dispensary, the expense would be cast upon the union; but if he thought medicine was necessary, then the charge would be borne by the general fund. Why should there be this difference in providing for the cost of the relief given, according as it might be, either mutton or medicine? There seems something like capriciousness in this arrangement, and it appears to me that the charge for the sick poor chargeable on the unions applying to the dispensaries might be thrown on the common fund. There will, however, be an opportunity of discussing these various matters in Committee; and having nothing to complain of in the principle of the Bill, I hope it will be there considered. In the last clause there is a provision which ought long since to have been established, and which ought to be more extended, at least in the opinion of those who like myself are favourable to the extension of the authority of the Poor Law Board. The clause I refer to provides that, in case of an asylum or dispensary, or Board of Guardians failing, on the requisition of the Poor Law Board, to appoint to a vacancy any officer whom they are by law required to appoint, the Poor Law Board may nominate a fit person for such office. I am sorry, however, since the right hon. Gentleman has looked to the practice of Ireland, that he has not gone further, and adopted another provision to the effect that, in case the local authorities refuse to carry out the regulations of the Poor Law Board, the latter shall have the power of superseding them for a certain time, and of appointing an officer of their own to administer the law in the place of those local authorities. I am informed that it has very rarely happened that the guardians in Ireland, who know that such a power exists, have refused to carry out the regulations of the Central

Commission. I think a similar power ought to be possessed by the Poor Law Board in this country. At present there is a divided jurisdiction. There is the power technically given by the Poor Law Act to the Poor Law Board to regulate the management of the workhouse, and yet there exists no practical means of enforcing it. The Poor Law Board is thus constantly blamed for matters in respect to which that Board has practically no authority over the local Boards. If there is to be a central authority with responsibility, it should not be allowed to be trifled with by the local authorities. The Board ought to have larger powers, and be fixed with the responsibility which attends the exercise of them. This question ought now to be decided, for at present it is difficult to know who is in certain cases to blame. It is said the time had come when the Board should be made a permanent establishment; but that will not be sufficient unless it is invested with sufficient power. The right hon. Gentleman proposes to some extent to increase the power of the Board, and I shall certainly support that part of the Bill—the only question with me is whether he has gone far enough. The Board ought, in fact, to be responsible for the manner in which the poor are treated. Already it may be learned that wherever the regulations of the Board are really carried out there has been no reason to complain, and their being generally enforced should no longer depend upon chance. This is a point which I trust the right hon. Gentleman will consider.

Speech of the Right Hon. C. P. VILLIERS on the Second Reading of the "Valuation of Property Bill," March 11.

[*A Revised Report.*]

Mr. C. P. VILLIERS * said, he could not join in the wish expressed by the hon. Member that this Bill should not be referred to a Select Committee, seeing that great objections had been expressed either to its principles or details by hon. Members on both sides of the House, and that he thought himself that the Bill was somewhat premature—the only Member (Mr. Danby Seymour) that entirely approved of it, did so for a purpose totally opposed to that of its promoters. That hon. Member was anxious to control the expenditure in counties, and he seemed to see a prospect of this Board being summoned for one purpose and ultimately used for another, and he (Mr. Danby Seymour) thought that this Board might serve to control the county expenditure generally. The House need not, however, think of any ulterior purpose when they had one already before them. It was urged in favour of the Bill that it would constitute a Board where the ratepayers, represented by the guardians and the magistrates, would be combined together for a purpose in which all were interested; but, anybody acquainted with the position and habits of elected guardians would know that they could not afford to go a great distance and give up much time without their expenses being paid, so that in practice the regulation of the assessments would fall under the complete control of the justices. One of the great objects of the present Assessment Act was to obtain an accurate estimate of the value of the property to be rated, and that object had been, he believed, very fairly attained. At first it was to be expected that the assessment committee would not agree precisely as to the amount of deduction that was to be made in order to get at the rateable value. Considering, however, the time that the Act had been in operation, it was no slight work that it had accomplished, looking also to the gross imperfection of the former system, to have obtained an accurate valuation of all the property to be rated. Considering how much alive the people of this country were to the subject of taxation, it was astonishing that they should ever have allowed so large a revenue to be collected in so slovenly and uncertain a manner. The amount of neglect and injustice that had existed under the old system was beyond description — already the new assessment had brought to charge upwards of £15,000,000 annually, which had escaped before. The valuations had been left to ignorant and irresponsible persons, and the consequence was that there was much property that had either not been valued at all, or not re-valued for years together, notwithstanding great changes in the circumstances of the place. The property of persons of influence in many cases remained rated much too low. There were instances of property which had been raised in value 400 per cent, and there were parishes which had never been re-assessed during the present century. This has all been altered, and the same things, under the present Act, can never recur. In these respects, he had not collected from the Member for Northamptonshire that the Bill had not acted well, and he must suppose that he (Mr. Hunt) only thought that he could make it act better. He (Mr. C. P. Villiers) would not say that it might not be improved; but he could not see that its deficiencies had been such as to require such an elaborate—he would not say cumbrous—machinery to amend it. Generally speaking, he thought the Act had given great satisfaction; doubtless there may have been complaints of the decisions of assessment committees in particular cases. Every facility, however, was given for re-hearing and appeal; and after the valuation lists were published, every parish was entitled to question the assessment of any other parish, and even the assessment of individual ratepayers of one parish might be challenged by those in another. The assessment committee, also, could easily be called together to re-hear any particular case. Hon. Members said that there were people who felt themselves wronged; still, there did not seem to have been much disposition to appeal, nor could that be said to be only from not desiring to attend at the quarter sessions, for there were special sessions appointed to be held four times a year, for the purpose of hearing questions of rating. Of course, he was aware in what respect these assessment committees were said to be at fault, and the House had before it the Return procured by the hon. Member for Buckingham showing considerable difference and want of uniformity in the unions, in the deductions they made from gross value, declared to be necessary to obtain the rateable value. He did not believe these differences to be necessary, and he could hardly account for them. The object of the deduction was very simple, and could not be difficult to estimate honestly. It is thought right, previously to rating property, to make an allowance for what might be deemed necessary each year to keep the property in the state of repair, and that would maintain it at the same value, together with what might be required for insurance. When, therefore, the real value of the property had been ascertained, which was the matter of chief importance, the deduction for repairs and insurance ought not to be difficult to fix. By making use of professional assistance at first, it would be easy to determine upon some rule for different kinds of property, and then the application of it need not vary. But the great publicity given to the valuation lists under the present Act must check any great irregularity continuing on this account. The 10th clause of the present Bill professed to discover some maximum or fixed rule of deduction. He did not see why, if that were possible to be done justly, it should not be the subject of a simple enactment for the purpose. If t were not possible, he did not know how by a conjunction of magistrates and ratepayers—but he thought practically they would be magistrates only—it would be possible to discover it. It might happen, now, that sometimes from error, or sometimes from favour, these differences in the deductions might occur; at the same time, an arbitrary and unbending rule fixed upon by Act of Parliament might operate with great injustice. The decay of one class of houses would be more rapid than of another, and it might be proper to put 20 or 25 per cent on one class and 15 per cent on another, and the deduction fixed by an Act applicable to all houses and all lands might be objectionable. The professed purpose of the Bill was to discover that rule or maximum; but it did not require a great apparatus of barristers and others to discover whether that rule, when fixed, had been applied. He presumed that it would require no less than fifty-two barristers of ten years' standing to be at once appointed, that is, one for each county. [Mr. Hunt: No; only as they were wanted.] Then they were to be paid by the piece. That, certainly, would not make the work shorter. He did not deny that the object of the Bill was a good one, so far as it was to produce uniformity of valuation for the different purposes for which the same property was to be rated; but seeing how much danger there might be in passing it in its present shape, and how little ground had been laid for complaint against the present Act, he trusted that the hon. Gentleman (Mr. Hunt) would not scruple to refer the Bill to a Committee upstairs.

REPRESENTATION OF THE PEOPLE.

THE RESOLUTIONS

referred to by the Chancellor of the Exchequer, on the 11*th February.*

In Committee on the Act 2 and 3 William IV., on the Representation of the People, to move the following Resolutions:—

This House having, in the last Session of Parliament, assented to the Second Reading of a Bill, intituled "A Bill to extend the right of Voting at Elections of Members of Parliament in England and Wales," is of opinion,

1. That the number of Electors for Counties and Boroughs in England and Wales ought to be increased.

2. That such increase may best be effected by both reducing the value of the qualifying Tenement in Counties and Boroughs, and by adding other Franchises not dependent on such value.

3. That, while it is desirable that a more direct Representation should be given to the Labouring Class, it is contrary to the Constitution of this Realm to give to any one class or interest a predominating power over the rest of the Community.

4. That the Occupation Franchise in Counties and Boroughs shall be based upon the principle of Rating.

5. That the principle of Plurality of Votes, if adopted by Parliament, would facilitate the settlement of the Borough Franchise on an extensive basis.

6. That it is expedient to revise the existing Distribution of Seats.

7. That in such revision it is not expedient that any Borough now represented in Parliament should be wholly Disfranchised.

8. That, in revising the existing Distribution of Seats, this House will acknowledge, as its main consideration, the expediency of supplying Representation to places not at present represented, and which may be considered entitled to that privilege.

9. That it is expedient that provision should be made for the better prevention of Bribery and Corruption at Elections.

10. That it is expedient that the system of Registration of Voters in Counties should be assimilated, as far as possible, to that which prevails in Boroughs.

11. That it shall be open to every Parliamentary Elector, if he think fit, to record his vote by means of a polling paper, duly signed and authenticated.

12. That provision be made for diminishing the distance which Voters have to travel for the purpose of recording their votes, so that no expenditure for such purpose shall hereafter be legal.

13. That a humble Address be presented to Her Majesty, praying Her Majesty to issue a Royal Commission to form and submit to the consideration of Parliament a scheme for new and enlarged Boundaries of the existing Parliamentary Boroughs where the population extends beyond the limit now assigned to such Boroughs; and to fix, subject to the decision of Parliament, the Boundaries of such other Boroughs as Parliament may deem fit to be represented in this House.

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VOLUME CLXXXV;

FIRST VOLUME OF THE SESSION 1867.

Explanation of the Abbreviations.

In Bills, Read 1°, 2°, 3°, or 1ª, 2ª, 3ª, Read the First, Second, or Third Time.—In Speeches, 1R., 2R., 3R., Speech delivered on the First, Second, or Third Reading.—*Amendt.*, Amendment.—*Res.*, Resolution.—*Comm.*, Committee.—*Re-Comm.*, Re-Committal.—*Rep.*, Report.—*Consid.*, Consideration.—*Adj.*, Adjournment or Adjourned.—*cl.*, Clause.—*add. cl.*, Additional Clause.—*neg.*, Negatived.—*M. Q.*, Main Question.—*O. Q.*, Original Question.—*O. M.*, Original Motion.—*P. Q.*, Previous Question.—R. P., Report Progress.—*A.*, Ayes.—*N.*, Noes.—*M.*, Majority.—*1st. Div.*, *2nd. Div.*, First or Second Division.—*l.*, Lords.—*c.*, Commons.

When in this Index a * is added to the Reading of a Bill, it indicates that no Debate took place upon that stage of the measure.

When in the Text or in the Index a Speech is marked thus *, it indicates that the Speech is reprinted from a Pamphlet or some authorized Report.

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† Church of England in the Colonies, Address for Papers, 384, 388
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Cave, Mr. T., *Barnstaple*
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Cecil, Lord E. H. B. G., *Essex, S.*
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Chambers, Mr. T., *Marylebone*
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Scotland—Representation of the People, 1268, 1802
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Charitable Donations and Bequests (Ireland) Bill
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered; read 1° * *Feb* 22 [Bill 49]
Read 2° *Mar* 15, 1996

Charity Funds and Estates Bill
(*Mr. Richard Young, Mr. W. E. Forster*)
c. Ordered; read 1° * *Feb* 28 [Bill 60]

Chatterton, Mr. H. E., (Solicitor General for Ireland), *Dublin University*
Charitable Donations and Bequests (Ireland), 2R. 1996
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Cheetham, Mr. J., *Salford*
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Chester Courts Bill
(*Earl Grosvenor, Mr. William Henry Gladstone*)
c. Ordered; read 1° * *Mar* 7 [Bill 69]
Read 2° * *Mar* 15

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Question, Lord Stanley of Alderley; Answer, The Earl of Derby *Feb* 12, 273; Question, Colonel French; Answer, Mr. Walpole *Feb* 12, 284; Question, Mr. Whalley; Answer, Mr. Walpole *Feb* 14, 344
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CHILDERS, Mr. H. C. E., *Pontefract*
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Cholerine, Physical Properties of
Questions, Sir Jervoise Jervoise; Answers, Mr. Walpole, Mr. Corry *Mar* 7, 1446

Church of England in the Colonies—Colonial Bishops
Question, Mr. Cardwell; Answer, Mr. Adderley *Feb* 14, 337; Address for Papers (*The Bishop of London*) *Feb* 15, 378; after debate, Motion agreed to

Church Rates Abolition Bill
(*Mr. Hardcastle, Mr. Baines, Mr. Trevelyan*)
c. Ordered; read 1°* *Feb* 12 [Bill 13]

Church Rates Commutation Bill
(*Mr. Newdegate, Colonel Stuart*)
c. Motion for Leave (*Mr. Newdegate*), 294
Previous Question proposed (*Mr. Hadfield*); after short debate, previous Question withdrawn; main Question put, and agreed to
Bill ordered; read 1° *Feb* 12 [Bill 15]

Church Rates Regulation Bill
(*Mr. Hubbard, Mr. Beresford Hope*)
c. Ordered; read 1°* *Feb* 21 [Bill 42]

Churchward, Mr., Appointment of
Question, Mr. Taylor; Answer, Mr. Walpole *Mar* 15, 1914

CLANRICARDE, Marquess of
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"Tornado," Case of the, 1544, 1545
Volunteers, Employment of, in Civil Disturbances, 377

CLAY, Mr. J., *Kingston-upon-Hull*
Sale and Purchase of Shares, 2R. 1411

Clerical Vestments Bill
(*The Earl of Shaftesbury*)
l. Presented; read 1ª *Mar* 11, 1624 (No. 39)

Coal Mines, Accidents in
Address for Papers (*The Earl of Belmore*) *Feb* 7, 81; after short debate, agreed to—(*Parl. P.* No. 81)

COCHRANE, Mr. A. D. Baillie, *Honiton*
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COGAN, Right Hon. W. H. F., *Kildare Co.*
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COLEBROOKE, Sir T. E., *Lanarkshire*
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COLERIDGE, Mr. J. D., *Exeter*
Counsel for the Secretary of State for India, Comm. 1329
Tests Abolition (Oxford), Leave, 296; 2R. 1419

COLLIER, Sir R. P., *Plymouth*
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Question, Mr. Edwards; Answer, Mr. Walpole *Feb* 19, 585

COLVILE, Mr. C. R., *Derbyshire, S.*
Mines, &c. Assessment, Leave, 651

Common Law Courts (Ireland) Bill
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered; read 1°* *Feb* 22 [Bill 48]

CONOLLY, Mr. T., *Donegal Co.*
Ireland—Release of John Morris, Motion for Papers, 1242

Consecration of Churchyards Bill [H.L.]
(*The Lord Redesdale*)
l. Presented; read 1^a* *Feb* 15 (No. 15)

Consolidated Fund (£369,118 5s. 6d.) Bill
c. Ordered; read 1°* *Mar* 7
Read 2°* *Mar* 8
Committee*; Report *Mar* 11
Read 3°* *Mar* 12
l. Read 1^a* *Mar* 14
Read 2^a* *Mar* 15

Cornwall, Bishopric in
Petition of Inhabitants of Cornwall presented (*The Earl of Devon*) *Mar* 4, 1300; after debate, Petition ordered to lie on the table

Corrance, Mr. F. S., *Suffolk, E.*
Valuation of Property, 2R. 1656

Corry, Right Hon. H. T. L. (Vice President of the Committee of Privy Council for Education), *Tyrone Co.*
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Supply—Royal Palaces, 505, 506;—Universal Exhibition at Paris, Report, 687
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Counsel to the Secretary of State for India Bill
(*Mr. Selwyn, Mr. Buxton, Mr. Coleridge*)
c. Ordered; read 1°* *Feb* 22 [Bill 51]
Moved, "That the Bill be now read 2°" (*Mr. Selwyn*) *Feb* 28, 1203
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Serjeant Gaselee*); Question, "That 'now,' &c."
Moved, "That the Debate be now adjourned" (*Mr. White*); A. 34, N. 58; M. 24; Question, "That 'now' &c," put, and agreed to; Bill read 2°
Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Selwyn*) *Mar* 4, 1326
Amendt. to leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee (*Mr. Serjeant Gaselee*); Question, "That the words, &c.;" Amendt. and Motion withdrawn

Court of Chancery (Ireland) Bill
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered; read 1°* *Feb* 22 [Bill 47]
Read 2° *Mar* 14, 1858

Courts of Justice Concentration Act
Question, Mr. Bentinck; Answer, Mr. Hunt *Feb* 21, 725

Courts of Justice, New
Amendt. on Committee of Supply *Feb* 22, To leave out from "That," and add "in the opinion of this House, it is expedient that all arrangements respecting the building of the new Courts of Justice should be effected under the sole responsibility of Her Majesty's Government" (*Mr. Bentinck*), 814; Question, "That the words, &c.;" after debate, Amendt. withdrawn

Cowper, Earl
Militia, The, 1545
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Cowper, Right Hon. W. F., *Hertford*
Courts of Justice, The New, Res. 825

Cranbourne, Right Hon. Viscount († Secretary of State for India), *Stamford*
† Army (India and the Colonies), Motion for a Committee, 1060
British North America, Comm. 1312
† Counsel to the Secretary of State for India, 2R. 1207
† India—Famine in Orissa, 82;—The Budget, 87;—Rights of the Ryots, 145;—Prize Money, 146;—The Maharajah of Mysore, 835;—Coolie Trade in Assam, 936;—Contract Law, 1144
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Cranworth, Lord
Church of England in the Colonies, Address for Papers, 392
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Masters and Operatives, 2R. 697; Comm. *cl.* 4, Amendt. 930
Office of Judge in the Admiralty, Divorce, and Probate Courts, 2R. 1008
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Craufurd, Mr. E. H. J., *Ayr, &c.*
Scotland—Collectors of Taxes, 1028

Crawford, Mr. R. W., *London*
Finsbury Estate, 2R. 322
India—Postage to, 1807;—India, China, and Australian Mails, 1809
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Criminal Law Bill
(*Mr. Russell Gurney, Mr. Coleridge*)
c. Ordered; read 1° *Feb* 8, 205 [Bill 8]
Read 2°, after short debate *Feb* 20, 678
Committee—R.P. *Mar* 13, 1759

Criminal Law
Life Sentences, Question, Mr. Hibbert; Answer, Mr. Walpole; long debate thereon *Mar* 15, 1918
Forfeiture, Law of, Question, Mr. Charles Forster; Answer, Mr. Walpole *Feb* 8, 148
(See *Capital Punishment*)

Criminal Lunatics Bill
(*Mr. Secretary Walpole, Mr. Attorney General*)
c. Ordered; read 1°* *Feb* 20 [Bill 41]
Read 2°, after short debate *Feb* 25, 993
Committee*; Report *Mar* 7 [Bill 67]

Crossley, Sir F., *Yorkshire, W.R.—N.*
Factory Acts (Educational Clauses), Res. 1078
Trades Unions, Leave, 196

Crown Officers, Disqualification of—Draughtsman to the Treasury
Question, Mr. Serjeant Gaselee *Mar* 1, 1239

Dalglish, Mr. R., *Glasgow*
Navy—Dockyards, Res. 642

Dalhousie, Earl of
Army—Artillery—Converted Enfield Rifle, 1213;—Recruiting Commission, Address for a Return, 1768, 1799
Hypothec Amendment (Scotland), 2R. 1141, 1226

Dawson, Mr. R. Peel, *Londonderry Co.*
Grand Juries (Ireland), Leave, 1867
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De Grey, Hon. T., *Norfolk, W.*
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De Grey and Ripon, Earl
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Deslandes, Captain, of the "Anne"
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Dick, Mr. W. W. Fitzwilliam, *Wicklow Co.*
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Dickson, Major A. G., *Dover*
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Dillwyn, Mr. L. L., *Swansea*
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Disraeli, Right Hon. B., see Chancellor of the Exchequer

Divorce Bills
Select Committee on Divorce Bills nominated *Mar* 12, 1715

Dockyards
Resolution "That, in the opinion of this House, the control and management of the Dockyards is inefficient, and that the inefficiency may be attributed to the following causes:—1st. The constitution of the Board of Admiralty; 2nd. The defective organization of the subordinate departments; 3rd. The want of clear and well-defined responsibility" (*Mr. Seely*) *Feb* 19, 588
After long debate, Previous Question proposed (*Sir John Pakington*), 604; after further long debate, Previous Question and Motion withdrawn

Dodson, Mr. J. G. (Chairman of the Committees of Ways and Means) *Sussex, E.*
Swansea Vale Railway, 2R. 1090

Dogs
Question, Sir Andrew Agnew; Answer, Mr. Walpole *Feb* 28, 1143

Doulton, Mr. F., *Lambeth*
Metropolitan Poor, Comm. *cl.* 9, 1616

Down, Bishop of
Ireland—Established Church, Motion for Returns, 207, 209

Dublin, Archbishop of
Ireland—Established Church, Motion for Returns, 208

Dublin University Professorships Bill
(*Mr. Lawson, Mr. Sullivan*)
c. Considered in Committee; Bill ordered; read 1°* *Feb* 8 [Bill 10]
Read 2°, after short debate *Feb* 27, 1130
Committee*; Report *Feb* 28
Committee*; Report *Mar* 7 [Bill 59]
Considered as amended* *Mar* 12
Read 3°* *Mar* 15

Du Cane, Mr. C., (Lord of the Admiralty) *Essex, N.*
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Dudley, Earl of
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Dunlop, Mr. A. C. S. M., *Greenock*
Industrial Schools (Ireland), 2R. 1745

Dunsany, Lord
Tenure of Land (Ireland), 1R. 800
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Duty on Dogs Bill
(*Mr. Dodson, Mr. Hunt, Mr. Chancellor of the Exchequer*)
c. Considered in Committee *Feb* 15, 451
Resolution reported *Feb* 18, 474
Bill ordered; read 1° *Feb* 20, 695 [Bill 36]
Read 2°, after short debate *Feb* 21, 780
Committee; Report *Feb* 28, 1196
Considered as amended *Mar* 4, 1324
Read 3°* *Mar* 11
l. Read 1ª* (*The Earl of Belmore*) *Mar* 12 (No. 42)

Earle, Mr. R. A., (Secretary to the Poor Law Commissioners), *Maldon*
Poor Law—Rating of Charitable Unions, 811

Education
Copy of Minute of Council presented; debate thereon *Feb* 28, 1147

Edwards, Sir H., *Beverley*
Representation of the People—Electoral Statistics, 1821
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Edwards, Mr. C., *Windsor*
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Egerton, Hon. A. F., *Lancashire, S.*
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Egerton, Mr. E. C. (Under Secretary of State for Foreign Affairs), *Macclesfield*
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Egypt—Suez Canal
Question, Sir Henry Rawlinson; Answer, Lord Stanley *Mar* 8, 1549

Elcho, Lord, *Haddingtonshire*
Chester, Apprehended Disturbances at, 288
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Elections, Controverted
Chairmen's Panel *Feb* 19, 654

Elections, Corruption at—The Reform Resolutions
Question, Sir Arthur Buller; Answer, The Chancellor of the Exchequer *Feb* 15, 405

Elective Franchise — Reduction of the Qualification for the
Question, Mr. Darby Griffith; Answer, The Chancellor of the Exchequer *Feb* 22, 886
(See *Representation of the People*)

Ellenborough, Earl of
Public Schools, Comm. 1002
Trades Unions Demonstration, Proposed, 143
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Ely, Bishop of
Cornwall, Bishopric in, 1301

Enfield, Viscount, *Middlesex*
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Engine Drivers' Strike
Question, Mr. Thomson Hankey; Answer, Mr. Walpole *Mar* 14, 1807

Essex, Earl of
Ireland—Suspension of the Habeas Corpus Act, 453

Ewart, Mr. W., *Dumfries, &c.*
Murder Law Amendment, Leave, 366
Oxford and Cambridge Universities Education, Leave, 1704, 1707

Ewing, Mr. H. E. Crum.- *Paisley*
Annuity Tax Abolition (Edinburgh), 2R. 673
Sugar, Drawback on, 812
Sugar Duties, Comm. Res. 352, 355, 904; Consid. 1203
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Exchequer, Chancellor of the, *see* Chancellor of the Exchequer

Execution of Deeds Bill
(*Mr. Goldney, Mr. Leeman, Mr. Powell*)
c. Ordered; read 1°* *Feb* 15 [Bill 26]
Read 2° *Feb* 27, 1133
Committee; Moved, "That Mr. Speaker do now leave the Chair" *Mar* 5, 1416
Amendt. To leave out from "That," and add "this House will, upon this day six months, resolve itself into the said Committee" (*Mr. Attorney General*), 1417; Question, "That the words, &c.;" after short debate, Amendt. and Motion withdrawn; Committee deferred

Eykyn, Mr. R., *Windsor*
Cattle, Importation of, 460

Factory Acts (*Educational Clauses*)
Moved, "That, in the opinion of this House, it is expedient to extend the Educational Clauses of the Factory Acts to children who are employed in agriculture" (*Mr. Fawcett*) *Feb* 26, 1066; after long debate, Motion withdrawn
(See *Agricultural Gangs*)

Factory Acts Extension Bill
(*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington*)
c. Ordered; read 1° *Mar* 1, 1271 [Bill 62]

Fawcett, Mr. H., *Brighton*
Army—Flogging in the, Res. 1983
Bankruptcy, Leave, 1885
Factory Acts (Educational Clauses), Res. 1066, 1087
Tests Abolition (Oxford), Leave, 296
Uniformity Act Amendment, Leave, 1510

Fergusson, Sir J. (Under Secretary of State for India), *Ayrshire*
Annuity Tax Abolition (Edinburgh), 2R. Amendt. 662
Counsel to the Secretary of State for India, 2R. 1208; Comm. 1334
India—English Resident at Leh, 1549;—Famine in Orissa, 1646;—Straits Settlements, 1647

Fildes, Mr. J., *Great Grimsby*
Sale and Purchase of Shares, 2R. Amendt. 1138

Finsbury Estate Bill
(*Mr. Ayrton, Mr. Locke*)
c. Ordered; read 1°* *Feb* 6 [Bill 1]
Moved, "That the Bill be now read 2°" (*Mr. Ayrton*) *Feb* 13, 301
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Howes*); after long debate, Question, "That 'now,' &c.;" A. 53, N. 87; M. 34; words added; main Question agreed to; Bill put off for six months

Fire Protection—Select Committee
Moved, "That a Select Committee be appointed 'to inquire into the existing legislative provisions for the protection of Life and Property against Fires in the United Kingdom, and as to the best means to be adopted for ascertaining the causes and preventing the Frequency of fires'" (*Mr. M'Lagan*) *Mar* 12, 1708; after debate, Motion agreed to; List of the Committee, 1715

Flogging in the Army
Corporal Punishment, Question, Mr. Otway; Answer, General Peel *Feb* 18, 463
Amendt. on Committee of Supply *Mar* 15, To leave out from "That," and add "this House, reserving for future consideration when requisite the question of the exigencies of a state of war, is of opinion that it is unnecessary that the punishment of flogging should be awarded during the time of peace to Soldiers of the Army or Corps of Royal Marines serving on shore" (*Mr. Otway*), 1951; after long debate, A. 107, N. 108; M. 1; Division List, Ayes and Noes, 1989

Fordyce, Mr., W. D. *Aberdeenshire*
Cattle Plague, 724, 725
Game Preservation (Scotland), Leave, 1396
Scotland—Game Laws, 1145

Forfeiture, Law of
Question, Mr. Charles Forster; Answer, Mr. Walpole *Feb* 8, 148

Forster, Mr. C., *Walsall*
Forfeiture, Law of, 148

Forster, Mr. W. E., *Bradford*
Telegraph Lines, Government Superintendence of, 813
Trades Unions, Leave, 200; Comm. *cl.* 2, Amendt. 996; *cl.* 5, 998, 999
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Fortescue, Right Hon. Chichester S., *Louth Co.*
- British North America, 2R. 1193; Comm. *cl.* 53, 1317
- Chester, Apprehended Disturbances at, 287
- Dublin University Professorships, 2R. 1132
- Industrial Schools (Ireland), 2R. 1754
- Ireland—Disturbances in, 400, 401, 1448
- Tenants Improvements (Ireland), Leave, 544, 555

Fortifications, Grants for
- Address for a Return (*Colonel Sykes*) *Feb* 12, 288; after short debate, Motion agreed to

Foster, Mr. W. C., *Staffordshire, S.*
- Trades Unions, Comm. *cl.* 2, 996

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(*Mr. M'Lagan, Sir William Stirling-Maxwell, Mr. Fordyce*)
c. Ordered; read 1° *Mar* 5, 1388 [Bill 65]

Gas and Water Bills
- Instruction to the Committee of Selection (*Colonel Wilson-Patten*) *Mar* 1, 1228

Gaselee, Mr. Serjeant S., *Portsmouth*
- Churchward, Mr., Appointment of, 1915
- Counsel to the Secretary of State for India, 2R. Amendt. 1205; Comm. Amendt. 1326
- Criminal Law, Comm. *cl.* 2, 1759; *cl.* 3, 1760; *cl.* 5, 1763
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- Representation of the People, Comm. 993
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- Sale and Purchase of Shares, 2R. 1411
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- Army Estimates—Land Forces, 1490
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Gilpin, Mr. C., *Northampton*
- Jamaica—Major General O'Conor, 214;—Courts Martial in, 933
- Life Sentences, 1923
- Metropolitan Poor, 2R. 752; Comm. *cl.* 5, 1614; *cl.* 43, 1676; *cl.* 55, 1684; *cl.* 59, 1686
- Murder Law Amendment, Leave, 366
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- Princess of Wales—Address to Her Majesty, 814
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- Servia, Fortresses in, Address for Papers, 441
- Sugar Duties, Comm. Res. 350, 1237, 1238
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Goldney, Mr. G., *Chippenham*
- Execution of Deeds, 2R. 1133; Comm. 1416, 1417
- Factory Acts (Educational Clauses), Res. 1073
- Finsbury Estate, 2R. 320
- Light and Air to Ancient Windows, 1243
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- Sale and Purchase of Shares, 2R. 1140
- Valuation of Property, 2R. 1661

Goldsmid, Sir F. H., *Reading*
- Criminal Law, Comm. *cl.* 3, 1761
- Sale and Purchase of Shares, 2R. 1140

Goldsmid, Mr. J., *Honiton*
- National Gallery, The New, 1644

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Gorst, Mr. J. E., *Cambridge Bo.*
- New Zealand—British Troops in, 282, 1932

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- Admiralty Jurisdiction, Leave, 530
- Bankruptcy, Leave, 1880
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- British Honduras, Colony of, 1805
- Labourers' Dwellings—Applications for Loans, 341
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- Trades Unions, Leave, 193, 194; 2R. 515; Comm. *cl.* 2, Amendt. 995; *cl.* 5, 998

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Grand Juries (Ireland) Bill
(*Mr. Peel Dawson, Mr. Leader, Sir Colman O'Loghlen, Mr. Lanyon*)
c. Ordered; read 1° *Mar* 14, 1867 [Bill 73]

GRANVILLE, Earl
Ireland—Disturbances in, 1427
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GREVILLE, Colonel F. S., *Longford Co.*
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GRIFFITH, Mr. C. Darby, *Devizes*
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GROSVENOR, Earl, *Chester*
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GROSVENOR, Hon. Capt. R. W., *Westminster*
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GUINNESS, Sir B. L., *Dublin City*
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GURNEY, Rt. Hon. Russell, *Southampton*
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Habeas Corpus Suspension (Ireland) Act
Questions, The Earl of Essex, The Earl of Leitrim; Answer, The Earl of Derby *Feb* 18, 453; Notice, The Earl of Derby *Feb* 22, 808

Habeas Corpus Suspension (Ireland) Act Continuance Bill
(*Lord Naas, Mr. Solicitor General for Ireland*)
c. Ordered; read 1° *Feb* 20, 690 [Bill 35]
Read 2° *Feb* 21, 727
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l. Read 1ª * (*The Earl of Derby*) *Feb* 23
Read 2ª; Committee negatived; Standing Orders Nos. 37 and 38 considered and dispensed with; Read 3ª, and passed *Feb* 25, 908 (No. 24)
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HAMILTON, Mr. E. W. T., *Salisbury*
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HANKEY, Mr. T., *Peterborough*
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HARDY, Right Hon. G., (Chief Commissioner of the Poor Law Board), *Oxford University*
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HAY, Lord W. M., *Taunton*
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HAY, Sir J. C. D. (Lord of the Admiralty) *Stamford*
Navy Estimates—Men and Boys, 1855, 1856, 1857

HAYTER, Captain A. D., *Wells*
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HEADLAM, Right Hon. T. E. (*Newcastle-upon-Tyne*
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HEATHCOTE, Sir W., *Oxford University*
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HENDERSON, Mr. J., *Durham City*
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HENLEY, Lord, *Northampton*
Criminal Law, Comm. *cl.* 3, 1759; *cl.* 5, 1762
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HENLEY, Right Hon. J. W., *Oxfordshire*
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HERBERT, Mr. H. A., *Kerry Co.*
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HOLLAND, Mr. E., *Evesham*
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Hope, Mr. A. J. Beresford, *Stoke-on-Trent*
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Traffic Regulation (Metropolis), Comm. *cl.* 11, 1911

Hours of Labour Regulation Bill
(*Mr. Secretary Walpole, Lord John Manners, Sir John Pakington*)
c. Ordered ; read 1° *Mar* 1, 1271 [Bill 63]

Howard, Right Hon. Lord E. G. F., *Arundel*
Metropolitan Poor, Comm. *cl.* 44, 1677

Howes, Mr. E., *Norfolk, E.*
Criminal Law, Comm. *cl.* 3, 1761
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Hubbard, Mr. J. G., *Buckingham*
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Hunt, Mr. G. W.—*cont.*
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Criminal Law, 2R. 679 ; Comm. *cl.* 2, Amendt. 1756

Hypothec Abolition (Scotland) Bill
(*Mr. Carnegie, Mr. Fordyce, Mr. E. Craufurd*)
c. Ordered ; read 1° *Feb* 26, 1088 [Bill 54]

Hypothec Amendment (Scotland) Bill [H.L.]
(*The Lord Chancellor*)
l. Presented ; read 1ª * *Feb* 14 (No. 12)
Second reading put off *Feb* 28, 1141
Read 2ª *Mar* 1, 1222
Committee ; Report *Mar* 7, 1428 (No. 33)
Referred to a Select Committee ; List of the Committee *Mar* 14, 1765

Inclosure Bill
(*Mr. Secretary Walpole, Mr. Hunt*)
c. Ordered ; read 1° * *Mar* 13 [Bill 72]

India
Army (*India and the Colonies*), Moved, "That a Select Committee be appointed to inquire into the duties performed by the British army in India and the Colonies ; and also to inquire how far it might be desirable to employ certain portions of Her Majesty's Native Indian Army in our Colonial and Military Dependencies" (*Major Anson*) *Feb* 26, 1032
Amendt. to add "or to organize a force of Asiatic Troops for general service in suitable climates" (*Mr. O'Reilly*) ; after long debate, Question, "That the words, &c.," put, and agreed to ; main Question put, and agreed to ; Select Committee appointed ; List of the Committee, 1064
Central India Prize Money, Question, Mr. Harvey Lewis ; Answer, Viscount Cranbourne *Feb* 8, 146
Commissions, Question, Mr. Kinnaird ; Answer, Viscount Cranbourne *Feb* 8, 144
Contract Law, Question, Mr. Kinnaird ; Answer, Viscount Cranbourne *Feb* 28, 1144
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- *Coolies Trade in Assam*, Question, Mr. Kinnaird; Answer, Viscount Cranbourne *Feb* 25, 936—*Exportation of*, Observations, Mr. Baillie Cochrane; Reply, Mr. Adderley *Mar* 1, 1246
- *Indian Budget*, Question, Mr. J. B. Smith; Answer, Viscount Cranbourne *Feb* 7, 86
- *Leh, English Resident at*, Question, Lord William Hay; Answer, Sir James Fergusson *Mar* 8, 1549
- *Maharajah of Mysore*, Questions, Sir Henry Rawlinson, Sir Edward Colebrooke; Answer, Viscount Cranbourne *Feb* 22, 827
- *Orissa, Famine in*, Question, Mr. Waldegrave-Leslie; Answer, Viscount Cranbourne *Feb* 7, 82; Question, Mr. Barnes; Answer, Sir James Fergusson *Mar* 11, 1645
- *Postage to*, Question, Mr. Crawford; Answer, Mr. Hunt *Mar* 14, 1807
- *Straits Settlement*, Observations, Mr. O'Reilly; Reply, Mr. Adderley *Mar* 8, 1603; Question, Mr. O'Reilly; Answer, Sir James Fergusson *Mar* 11, 1646
- *Sumatra, Dutch in*, Question, Mr. White; Answer, Lord Stanley *Mar* 11, 1645

India, China, and Australian Mails
- Question, Mr. Childers; Answer, Mr. Hunt *Mar* 14, 1807

Industrial Schools (Ireland) Bill
(*The O'Conor Don, Mr. Monsell, Mr. Leatham*)
c. Ordered; read 1° *Feb* 12, 296 [Bill 17]
- Moved, "That the Bill be now read 2°" (*The O'Conor Don*) *Mar* 13, 1741
- Amendt. to leave out "now," and add "upon this day six months" (*Mr. Peel Dawson*); Question, "That 'now,' &c.;" after long debate, Amendt. withdrawn; main Question agreed to; read 2°

Ireland
- *Bishop Moriarty*, Explanation, Lord Naas *Feb* 27, 1090
- *Charitable Bequests*, Question, Mr. Blake; Answer, Lord Naas *Feb* 18, 468
- *Court of Admiralty*, Question, Mr. Blake; Answer, The Attorney General for Ireland *Mar* 7, 1447

Disturbances in
- Question, The Marquess of Clanricarde; Answer, The Earl of Derby *Feb* 14, 330; Question, Mr. Bruen; Answer, Mr. Walpole *Feb* 14, 334
- *Castlemartyr*, Question, Mr. Monsell; Answer, Lord Naas *Mar* 6, 1418
- "*Cork Herald*" *Reporter, The*, Question, Mr. O'Beirne; Answer, Lord Naas *Mar* 1, 1233
- *Cutting of Telegraph Wires*, Question, The Earl of Shaftesbury; Answer, The Earl of Derby *Feb* 15, 371; Question, Mr. Chichester Fortescue; Answer, Mr. Walpole *Feb* 16, 400
- *Fenian Prisoners*, Explanation, Major Stuart Knox; Answer, Lord Naas *Feb* 22, 813
- *Kerry*, Questions, Colonel Greville, Mr. Bruen; Answer, Lord Naas *Feb* 18, 469

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Ireland—Disturbances in—cont.
- *Kilmallock*, Question, Earl Granville; Answer, The Earl of Derby *Mar* 7, 1427; Question, Mr. Chichester Fortescue; Answer, Mr. Walpole *Mar* 7, 1448
- *Kilteely*, Question, The Marquess of Clanricarde; Answer, The Earl of Derby *Mar* 8, 1511; Question, Major Stuart Knox; Answer, Mr. Walpole *Mar* 8, 1550
- *Martial Law*, Question, Mr. H. Herbert; Answer, Mr. Walpole *Mar* 8, 1548; Question, The O'Donoghue; Answer, Mr. Walpole *Mar* 11, 1647

- *Docks in Cork Harbour*, Question, Mr. Murphy; Answer, Sir John Pakington *Feb* 18, 460
- *Dungarvan, The 12th Lancers at*, Question, Mr. Serjeant Barry; Answer, General Peel *Feb* 26, 1030; Question, Mr. Lawson; Answer, The Attorney General for Ireland *Mar* 14, 1802
- *Education Commissioners*, Question, Mr. Lanyon; Answer, Lord Naas *Feb* 21, 720
- *Employment of the Irish Constabulary*, Question, The O'Donoghue; Answer, Lord Naas *Feb* 26, 1028
- *Established Church*, Address for Returns from the Ecclesiastical Commissioners of Ireland (*The Bishop of Down*); after short debate, on Question, resolved in the negative *Feb* 11, 207
- *Inspectors of Weights and Measures*, Question, Mr. Bruen; Answer, Lord Naas *Mar* 1, 1239
- *Land Tenure*, Notice (*The Marquess of Clanricarde*) *Feb* 11, 207
- *Lord Mayor's Banquet—Cardinal Cullen*, Question, Mr. Newdegate; Answer, The Chancellor of the Exchequer *Feb* 25, 933; Observations, Mr. Newdegate *Feb* 25, 1001
- *Military at Elections*, Motion for Papers (*The Duke of St. Albans*) *Mar* 1, 1213; after short debate, Motion withdrawn
- *Morris, John, Release of*, Amendt. on Committee of Supply *Mar* 1, To leave out from "That," and add "there be laid before this House, a Copy of the Opinion of the Law Advisers of the Crown in Ireland relative to the release of John Morris, lately a prisoner, arrested on a charge of Treason-felony and Fenianism (*Mr. Bruen*), 1240; Question, "That the words, &c.;" after short debate, Amendt. withdrawn
- *Professorship of the University of Dublin*, Question, Mr. Vance; Answer, Mr. Walpole *Feb* 8, 146
- *Public Records*, Question, Sir Rowland Blennerhasset; Answer, Lord Naas *Feb* 11, 213
- *Railways*, Question, Mr. W. Ormsby Gore; Answer, Sir Stafford Northcote *Feb* 18, 459
  - Amendt. on Committee of Supply *Mar* 15, To leave out from "That," and add "it is the opinion of this House that, with a view to affording to Irish Railways the full relief contemplated by the Act of last Session, intituled, 'The Railway Companies (Ireland) Temporary Advances Act, 1866,' it is expedient, under existing circumstances, that the Lords Commissioners of Her Majesty's Treasury should exercise the

[*cont.*

Ireland—cont.
powers conferred on them under the fourth Section, by directing that the period within which temporary advances should be made be extended to the maximum period allowed by the Act" (*Mr. Blake*), 1937; after long debate, Amendt. withdrawn
Reform Bill, Question, Mr. Brady; Answer, Lord Naas *Feb* 19, 585
Royal Academy, Observations, Mr. Gregory; Reply, Mr. Hunt *Mar* 8, 1596
Salmon Fisheries, Question, Mr. Blake; Answer, The Attorney General for Ireland *Mar* 15, 1915
Vartry Waterworks, Question, The O'Donoghue; Answer, General Peel *Feb* 18, 462; Question, Mr. Vance; Answer, Lord Naas *Feb* 18, 469; Question, The O'Donoghue; Answer, General Peel *Feb* 21, 723; Question, Mr. Fitzwilliam Dick; Answer, Lord Naas *Feb* 28, 1146

Italy—Holy See and Russia
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Courts Martial on Ensign Cullen and Surgeon Morris, Question, Mr. Gilpin; Answer, Mr. Mowbray *Feb* 25, 933
Ecclesiastical Establishment in, Question, Mr. Baxter; Answer, Mr. Adderley *Feb* 18, 460
Legal Proceedings against Officers, Question, Major Jervis; Answer, The Chancellor of the Exchequer *Feb* 14, 336
O'Connor, General, Question, Mr. Gilpin; Answer, General Peel *Feb* 11, 214

JAMES, Mr. E., *Manchester*
Law, Administration of the, 881

JERVIS, Major H. J. W., *Harwich*
Jamaica—Legal Proceedings against Officers, 336
Representation of the People—Electoral Statistics, 1822

JERVOISE, Sir J. C., *Hampshire, S.*
Cholerine, Physical Properties of, 1446

Joint Stock Companies (Voting Papers) Bill (*Mr. Darby Griffith, Mr. Robert Torrens, Mr. Vance*)
c. Ordered; read 1°* *Feb* 6 [Bill 3]
Read 2°* *Feb* 13

Judgment Debtors Bill (*Mr. Attorney General, Mr. Secretary Walpole, Mr. Solicitor General*)
c. Ordered; read 1°* *Mar* 14 [Bill 75]

Jurymen (Metropolis)
Question, Mr. Alderman Lusk; Answer, The Solicitor General *Mar* 1, 1229

KARSLAKE, Sir J. B., *see* Solicitor General, The

KENNEDY, Mr. T., *Louth Co.*
Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 746

KER, Mr. D. S., *Downpatrick*
Ireland—Release of John Morris, Motion for Papers, 1242
Offices and Oaths, 2R. 1099

KIMBERLEY, Earl of
Crete—Insurrection in, Motion for Papers, 1540
Habeas Corpus Suspension (Ireland) Act Continuance, 2R. 915
Tenure of Land (Ireland), 1R. 798, 804
Traffic Regulation (Metropolis), Comm. *cl.* 11, 1911

KINGLAKE, Mr. Serjeant J. A., *Rochester*
Army—Government Powder Magazines, 812

KINNAIRD, Hon. A. F., *Perth*
Artizans' and Labourers' Dwellings, Leave, 294
British North America, Comm. *cl.* 53, 1317
Fire Protection, Motion for a Committee, 1715
Game Preservation (Scotland), Leave, 1396
India—Rights of the Ryots, 144;—Coolie Trade in Assam, 936;—Contract Law, 1144
Scotland—Representation of, 1268
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LAIRD, Mr. J., *Birkenhead*
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(*Lord Naas, Mr. Solicitor General for Ireland*)
c. Ordered; read 1°* *Feb* 18 [Bill 30]

Land Improvement Contracts (Ireland) Bill (*Mr. Agar-Ellis, Colonel French*)
c. Ordered * *Feb* 18
Read 1° * *Feb* 19 [Bill 32]
Read 2° * *Mar* 8

Land Tax Commissioners' Names Bill (*Mr. Hunt, Mr. Chancellor of the Exchequer*)
c. Ordered; read 1° * *Feb* 18 [Bill 31]
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Land Tenure (Ireland) Bill (*Sir Colman O'Loghlen, Mr. Gregory*)
c. Ordered; read 1° * *Feb* 12 [Bill 19]

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Lawson, Right Hon. J. A., *Portarlington*
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Lefevre, Mr. G. J. Shaw, *Reading*
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Lefroy, Mr. A., *Dublin University*
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Lennox, Lord H. G. C. G., (Secretary to the Admiralty) *Chichester*
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c. Ordered; read 1° * *Feb* 8 [Bill 11]
Read 2°, and committed to a Select Committee *Mar* 13, 1716; List of the Committee, 1741

Lichfield, Earl of
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Question, Mr. Hibbert; Answer, Mr. Walpole; long debate thereon *Mar* 15, 1918

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Light and Air to Ancient Windows
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Limited Liability Acts
Moved, "That a Select Committee be appointed to inquire into the operation of the Limited Liability Acts" (*Mr. Watkin*) *Mar* 5, 1370; after debate, agreed to; List of the Committee, 1387

Lindsay, Colonel R. Loyd, *Berkshire*
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Lis Pendens Bill (*The Lord St. Leonards*)
l. Presented; read 1ª * *Feb* 7 (No. 6)
Read 2ª *Feb* 21, 698
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(*Mr. Dodson, Lord John Manners, Mr. Hunt*)
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Lyon King of Arms (Scotland) Bill
(*Sir Graham Montgomery, Mr. Secretary Walpole, Mr. Hunt*)
c. Ordered; read 1° * *Feb* 21 [Bill 44]
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(*Mr. Secretary Walpole, Mr. Attorney General*)
c. Ordered; read 1° * *Feb* 20 [Bill 40]
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Read 3°, * and passed *Feb* 28
l. Read 1ª * (*The Earl of Belmore*) *Mar* 1
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Marsh, Mr. M. H., *Salisbury*
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Masters and Operatives Bill (*afterwards* **Masters and Workmen Bill**)
(*The Lord St. Leonards*)
l. Presented; after short debate, read 1ª *Feb* 7, 79 (No. 3)
Read 2ª *Feb* 21, 696
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Park Lane and Halkin Street, Question, Sir Henry Winston-Barron; Answer, Lord John Manners *Feb* 18, 465
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Metropolis Gas Bill
(*Sir Stafford Northcote, Mr. Secretary Walpole, Lord John Manners*)
c. Ordered; read 1° * *Feb* 22 [Bill 45]

Metropolitan Improvements Bill
(*Mr. Ayrton, Mr. Tite*)
c. Ordered; read 1° * *Feb* 26 [Bill 55]

Metropolitan Local Government, &c.
Select Committee appointed "to inquire into the Local Government and Local Taxation of the Metropolis" (*Mr. Ayrton*); List of the Committee *Feb* 12, 300

Metropolitan Poor Bill
(*Mr. Gathorne Hardy, Mr. Earle*)
c. Ordered; read 1° *Feb* 8, 150 [Bill 9]
Read 2° *Feb* 21, 746
Committee; Report *Mar* 7, 1510 [Bill 66]
Committee (*on re-comm.*) *Mar* 8, 1608; after debate—R.P.
Committee (*on re-comm.*); Report *Mar* 11, 1673
Considered as amended * *Mar* 13
Read 3°, and passed *Mar* 14, 1861
l. Read 1ª * (*The Earl of Devon*) *Mar* 15 (No. 45)

Mexico—The Bondholders
Question, Mr. Harvey Lewis; Answer, Lord Stanley *Mar* 8, 1547

Military at Elections (Ireland) Bill
(*Mr. Serjeant Barry, Major Esmonde, Mr. O'Beirne*)
c. Ordered; read 1° * *Feb* 14 [Bill 23]

Militia, The
Question, Earl Cowper; Answer, The Earl of Longford *Mar* 8, 1545

Mill, Mr. J. Stuart, *Westminster*
Metropolitan Poor, Comm. *cl.* 5, 1608; *cl.* 9, 1616; *cl.* 45, 1678, 1680; *cl.* 55, 1685; *cl.* 79, 1696; 3R, 1861
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Mills, Mr. J. Remington, *Wycombe* (*Chepping*)
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Millwall Ironworks Company
Question, Mr. Weguelin; Answer, Sir John Pakington *Mar* 15, 1916

Mines
Select Committee appointed, "To inquire into the operation of the Acts for the Regulation and Inspection of Mines, and into the complaints contained in Petitions from Miners of Great Britain with reference thereto, which were presented to the House during Session 1865" (*Mr. Ayrton*) *Feb* 8 ; List of the Committee *Mar* 14, 1887

Mines, &c., Assessment Bill
(*Mr. Percy Wyndham, Mr. Cavendish Bentinck, Mr. Henderson*)
c. Ordered ; read 1° *Feb* 19, 649 [Bill 33]

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Moncreiff, Right Hon. J., *Edinburgh*
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Morris, Right Hon. M., (Attorney General for Ireland) *Galway Bo.*
Ireland—Release of John Morris, Motion for Papers, 1242 ;—Court of Admiralty, 1447 ;—Waterford Election, 1804 ;—Salmon Fisheries, 1915

Morrison, Mr, W., *Plymouth*
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Question, Mr. Hadfield ; Answer, The Attorney General *Feb* 19, 583

Mowbray, Right Hon. J. R., (Judge Advocate General), *Durham City*
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Murder Law Amendment Bill
(*Mr. Secretary Walpole, Mr. Attorney General, Mr. Solicitor General*)
c. Ordered ; read 1° *Feb* 14, 359 [Bill 25]

Murphy, Mr. N. D., *Cork City*
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(*Sir J. Pakington, Judge Advocate General*)
c. Ordered ; read 1° * *Mar* 15

Naas, Right Hon. Lord, (Chief Secretary for Ireland), *Cockermouth*
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- *Brand, Lieutenant*, Question, Mr. Osborne; Answer, Mr. Buxton *Feb* 28, 1143; Question, Mr. Osborne; Answer, Sir John Pakington *Mar* 1, 1238
- *Chain Cables and Anchors*, Question, Mr. Laird; Answer, Lord Henry Lennox *Mar* 14, 1804
- *Courts Martial*, Question, Mr. Harvey Lewis; Answer, Sir John Pakington *Mar* 1, 1234
- *Dockyards*, Resolution, Mr. Seely *Feb* 19, 588
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- "*Greenwich Sixpence*," *The*, Question, Mr. Trevelyan; Answer, Sir Stafford Northcote *Feb* 25, 936
- *Gunboats, Tenders for*, Question, Mr. Henderson; Answer, Sir John Pakington *Mar* 1, 1231
- *Naval Yards*, Question, Lord Robert Montagu; Answer, Sir John Pakington *Feb* 15, 405
- *Promotions in the*, Question, Mr. Hanbury-Tracy; Answer, Sir John Pakington *Feb* 14, 343
- *Sayer's, Commander, Life Boat*, Question, Mr. Knatchbull-Hugessen; Answer, Sir John Pakington *Feb* 18, 476
- *Ship Building, &c.*, Motion for Returns (*The Duke of Somerset*) *Feb* 8, 120; after debate, Motion amended and agreed to

NEATE, Mr. C., *Oxford City*
- Associations of Workmen, Leave, 299
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- Metropolitan Poor, Comm. *cl.* 9, 1618; *cl.* 44, 1677, 1678; *cl.* 59, 1685
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- Wales—Holyhead Union, 810

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NEWDEGATE, Mr. C. N., *Warwickshire, N.*
- Army Estimates—Land Forces, 1478
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New Members Sworn
- *Feb* 5 — Richard Garth, esq., *Guildford*
  - Howel Gwyn, esq., *Brecknock Borough*
  - John Vance, esq., *Armagh City*
  - Jervoise Smith, esq., *Penryn*
  - Charles Lanyon, esq., *Belfast*
  - James Bevan Bowen, esq., *Pembroke County*
  - Hon. George Douglas Pennant, *Carnarvon County*
  - Hon. Adelbert Wellington Cust, *Salop* (*Northern Division*)
  - Hon. Captain Charles White, *Tipperary*
  - Sir John Rolt, *Gloucester County* (*Western Division*)
- *Feb* 6 — Arthur Kavanagh, esq., *Wexford County*
- *Feb* 12—Sir John Burgess Karslake, Knight, *Andover*
- *Feb* 15—Sackville George Stopford, esq., *Northampton County* (*Northern Division*)
- *Feb* 18—Hedges Eyre Chatterton, esq., *Dublin University*
  - Edward Kent Karslake, esq., *Colchester*
- *Feb* 21—Right Hon. Michael Morris, *Galway Town*
- *Feb* 25—Frederick Snowdon Corrance, esq., *Suffolk* (*Eastern Division*)
- *Mar* 4—Arthur Hugh Smith Barry, esq., *Cork County*
- *Mar* 11—Hon. Percy Egerton Herbert, *Salop* (*Southern Division*)
- *Mar* 12 — Hon. Octavius Duncombe, *York County* (*North Riding*)
- *Mar* 15—Viscount Newport, *Salop* (*Northern Division*)
  - Right Hon. Sir John Somerset Pakington, Baronet, *Droitwich*

New Writs issued during the Recess

Mr. Speaker acquainted the House that during the Recess, he had issued Warrants for New Writs—
- *Feb* 5 — *For* Brecknock Borough, *v.* Earl of Brecknock, now Marquess Camden
  - *For* Penryn, *v.* Hon. Thomas George Baring, now Lord Northbrook
  - *For* Gloucester County (Western Division), *v.* John Rolt, esq., Attorney General
  - *For* Pembroke County, *v.* George Lort Phillips, esq., deceased
  - *For* Guildford, *v.* Sir William Bovill, Chief Justice of the Common Pleas
  - *For* Tipperary, *v.* John Blake Dillon, esq., deceased
  - *For* Belfast, *v.* Sir Hugh M'Calmont Cairns, Judge of the Court of Appeal in Chancery
  - *For* Wexford County, *v.* John George, esq., Judge of the Court of Queen's Bench in Ireland
  - *For* Waterford County, *v.* Earl of Tyrone, now Marquess of Waterford
  - *For* Armagh City, *v.* Stearne Ball Miller, esq., Judge of the Court of Bankruptcy and Insolvency in Ireland

New Writs issued
Feb 5—*For* Northampton County (Northern Division), *v.* Lord Burghley, now Marquess of Exeter
For Suffolk (Eastern Division), *v.* Sir Edward Clarence Kerrison, Baronet, Chiltern Hundreds
Feb 6—*For* The College of the Holy Trinity, Dublin, *v.* Right Hon. John Edward Walsh, Master of the Rolls for Ireland
For Galway Town, *v.* Right Hon. Michael Morris, Attorney General for Ireland
For Andover, *v.* William Henry Humphery, esq., Chiltern Hundreds
Feb 7—*For* Cork County, *v.* George Richard Barry, esq., deceased
Feb 8—*For* Colchester, *v.* Taverner John Miller, esq., Manor of Northstead
Feb 22—*For* York County (North Riding), *v.* The Hon. William Ernest Duncombe, now Lord Feversham
Feb 27—*For* Salop (Southern Division), *v.* Colonel The Hon. Percy Egerton Herbert, Treasurer of the Household
Mar 7—*For* Salop (Northern Division), *v.* The Hon. Adelbert Wellington Brownlow Cust, now Earl Brownlow
Mar 8—*For* Droitwich, *v.* Right Hon. Sir John Somerset Pakington, Baronet, Secretary of State
For Tyrone, *v.* Right Hon. Henry Thomas Lowry Corry, First Commissioner of the Admiralty
For Devon County (Northern Division), *v.* Right Hon. Sir Stafford Henry Northcote, Baronet, Secretary of State
Mar 11—*For* Boston, *v.* Meaburn Staniland, esq., Manor of Northstead
Mar 15—*For* Huntingdon County, *v.* The Hon. Robert Montagu, commonly called Lord Robert Montagu, Vice President of the Committee of Council for Education

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O'Donoghue, The, *Tralee*
Ireland—Waterford Election, 462, 723, 724;—Employment of the Constabulary, 1028;—Martial Law, 1647
Tenants Improvements (Ireland), Leave, 546

Office of Judge in the Admiralty, Divorce, and Probate Courts Bill [H.L.]
(*The Lord Chancellor*)
l. Presented; read 1^{a}* *Feb* 14 (No. 11)
Read 2^{a} *Feb* 26, 1003

Offices and Oaths Bill
(*Sir Colman O'Loghlen, Mr. Cogan, Sir J. Gray*)
c. Considered in Committee; after debate, Resolution agreed to; Bill ordered; read 1° *Feb* 7, 111 [Bill 7]
Moved, "That the Bill be now read 2°" (*Sir Colman O'Loghlen*) *Feb* 27, 1093
Amendt. to leave out "now," and add "upon this day six months" (*Mr. Newdegate*); after long debate, Question, "That 'now,' &c.;" A. 195, N. 93, M. 102; read 2°; Division List, Ayes and Noes, 1128

Ogilvy, Sir J., *Dundee*
Scotland—Representation of, 1264

Oliphant, Mr. L., *Stirling, &c.*
Army—Military Store Department, 463
India—Straits Settlements, 1607
Metropolitan Poor, Comm. *cl.* 9, 1618
Scotland—Representation of, 1270

O'Loghlen, Sir C. M., *Clare Co.*
Libel, 2R. 1716, 1741
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O'Reilly, Mr. M. W., *Longford Co.*
Army Estimates—Land Forces, 1479
Army—(India and the Colonies), Motion for a Committee, Amendt. 1041, 1053
India—Straits Settlements, 1603, 1605, 1646
Ireland—Royal Irish Academy, 1602
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Osborne, Mr. R. B., *Nottingham*
Army—Flogging in the, Res. 1974
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Otway, Mr. A. J., *Chatham*
Army—Corporal Punishment, 463; Res. 1951, 1961
Army Estimates, 1308
Bribery Commissioners, Report of the, 1146
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c. Read 1°* *Feb* 5

Oxford and Cambridge Universities Education Bill
(*Mr. Ewart, Mr. Neate, Mr. Pollard-Urquhart*)
c. Ordered *Mar* 12, 1704
Read 1°* *Mar* 13 [Bill 71]

Oxford, Bishop of
Church of England in the Colonies, Address for Papers, 397

Oyster and Mussel Fisheries Bill
(*Mr. Stephen Cave, Sir Stafford Northcote*)
c. Ordered; read 1°* *Mar* 1 [Bill 61]
Read 2° *Mar* 4, 1325
Committee*; Report *Mar* 13
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Pakington, Right Hon. Sir J. S. († First Lord of the Admiralty), afterwards (Secretary of State for War), *Droitwich*
Army Estimates, 1992, 1995
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† British North America, 2R. 1185
† Ireland—Docks in Cork Harbour, 461
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† Naval Yards, 406
† Navy—H.M.S. "Gannet," and the "Arouca," 87;—Promotion in the, 343;—Dockyards, Res. Previous Question moved, 604, 622, 646;—Admiralty Steering and Sailing Rules, 809;—Tenders for Gunboats, 1231, 1232;—Courts Martial, 1234;—Lieutenant Brand, 1239
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Palmer, Sir R., *Richmond*
Counsel to the Secretary of State for India, Comm. 1332
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* Law, Administration of the, 841, 853
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Parker, Major Windsor, *Suffolk, W.*
Army—(India and the Colonies), Motion for a Committee, 1063

Parliament
MEETING OF THE PARLIAMENT *Feb* 5
The Session of Parliament opened by THE QUEEN in Person *Feb* 5, 1; The LORD CHANCELLOR, taking direction from HER MAJESTY, delivered
Her Majesty's Most Gracious Speech
LORDS—
ADDRESS TO HER MAJESTY in Answer to Her Most Gracious Speech, moved by The Earl BEAUCHAMP (the Motion being seconded by The Lord DELAMERE) *Feb* 5, 9; and, after long debate, Motion agreed to
HER MAJESTY'S ANSWER TO THE ADDRESS reported *Feb* 8, 120
Appeal Committee—Appointed *Feb* 5
Chairman of Committees—The Lord Redesdale appointed, *Nemine Dissentiente*, to take the Chair in all Committees of this House for this Session *Feb* 5
Committee for Privileges—appointed *Feb* 5
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[*cont.*

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Private Bills—Standing Order Committee on—appointed and nominated *Feb* 21, 719

Private Bills—Churchyards and Cemeteries—On Motion of The Earl of Belmore, Standing Order 182 amended *Feb* 25, 906

Privilege—Pamphlet of Mr. R. S. France—Statement, Lord Redesdale *Feb* 8, 119; Personal Explanation, Lord Redesdale *Feb* 15, 370; On Motion of Lord Redesdale, Ordered that Mr. R. S. France do attend at the Bar of this House To-morrow *Feb* 18, 452; Select Committee appointed *Feb* 19, 556; nominated *Feb* 21, 719; Report of the Select Committee on Mr. France's Pamphlet read *Mar* 11, 1627; Resolution (*The Lord Chancellor*) agreed to

COMMONS—

THE QUEEN'S SPEECH reported; Resolution for an humble ADDRESS thereon moved by Mr. DE GREY (the Motion being seconded by Mr. GRAVES) *Feb* 5, 43; and, after long debate, agreed to; Committee appointed to draw up the said Address

Report of Address brought up, and read; after short debate, agreed to; to be presented by Privy Councillors; to be considered To-morrow *Feb* 6, 76

HER MAJESTY'S ANSWER TO THE ADDRESS reported *Feb* 8, 144

Controverted Elections, General Committee of Elections appointed *Feb* 8

Kitchen and Refreshment Rooms—Standing Committee appointed and nominated *Feb* 7, 119

Printing—Select Committee—Cost of Papers—After short debate, Select Committee appointed and nominated *Feb* 11, 256

Privileges — Ordered, That a Committee of Privileges be appointed *Feb* 5

Public Accounts — Committee of Public Accounts nominated *Feb* 18, 556

Public Petitions—Select Committee appointed and nominated *Feb* 11, 257

Approaches to the Houses of Parliament, Observations, Mr. Davenport Bromley *Feb* 22, 888

Business of the House, Question, Mr. Gladstone; Answer, The Chancellor of the Exchequer *Feb* 8, 149; Observations *Mar* 5, 1370

Opening of the Session—Access of Members to the House—Police Orders, Questions, Lord Ernest Bruce, Mr. Crawford; Answer, Mr. Walpole *Feb* 7, 83

Private Bills—Board of Trade Reports, Motion (*Mr. Stephen Cave*) *Mar* 14, 1800

Scotch Business, Question, Mr. Baxter; Answer, Mr. Walpole *Feb* 12, 283; Question, Mr. Baxter; Answer, Mr. Walpole *Feb* 21, 721

Standing Orders — Railway Bills, Question, Sir Colman O'Loghlen; Answer, Colonel Wilson Patten *Feb* 12, 279

Parliamentary Reform—see *Representation of the People*

Paris Universal Exhibition

English Jurors, Question, Viscount Amberley; Answer, Mr. Corry *Feb* 28, 1143

Munitions of War, Question, Mr. Beresford Hope; Answer, General Peel *Mar* 1, 1232

Search of Passengers' Baggage, Amendt. on Committee of Supply *Mar* 8, To leave out from "That," and add "as the Customs Revenue is now derived from an exceedingly small number of articles, the prices of most of which in London and Paris are equal, this House considers that no appreciable injury would be inflicted upon the income of the Country were the present practice of the search of the baggage of travellers at Dover, Folkestone, Newhaven, and in London suspended during the period of the French Exhibition of 1867" (*Mr. Beresford Hope*), 1581; Question, "That the words, &c.;" after debate, Amendt. withdrawn; Question, Mr. Akroyd; Answer, Mr. Hunt *Mar* 14, 1801

Vote (£50,000) for Supply *Feb* 20, 683; after short debate, Vote agreed to; Question, Mr. Osborne; Answer, Mr. Bruce *Feb* 22, 890

PATTEN, Colonel J. W., *Lancashire, N.*
Army Estimates, 459;—Land Forces, 1501
Gas and Water Bills, Res. 1228
Lancaster Election Commission Report, 726
Railway Bills—Standing Orders, 279
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PEASE, Mr. J. W., *Durham, S.*
Mines, &c. Assessment, Leave, 652
Sale and Purchase of Shares, 2R. 1412
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PEEL, Right Hon. Lt.-Gen. J., († Secretary of State for War) *Huntingdon*
† Army—Corporal Punishment, 464;—Quartermasters of Militia, 467;—Medical Officers of the Guards, 584;—Artillery—Stud Shot, 725;—Government Powder Magazines, 812;—(India and the Colonies), Motion for a Committee, 1049, 1053;—Land Transport, 1145;—Flogging in the, Res. 1986
† Army Estimates, 213, 459;—Supplementary, 1233, 1308, 1309;—Land Forces, 1448, 1483, 1508, 1509
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† Ireland—Waterford Election, 462, 723, 1031
† Jamaica—Major-General O'Connor, 214
Ministerial Explanations, 1345
† Palliser, Major—Rewards to Inventors, 341
† Paris Exhibition—Munitions of War, 1232

PEEL, Mr. A. W., *Warwick*
Small Tenements Rating Act, 404

Petit Juries (Ireland) Bill
(*Mr. Solicitor General for Ireland, Mr. Attorney General for Ireland*)
c. Ordered; read 1° * *Feb* 22 [Bill 46]

Peto, Sir S. M., *Bristol*
Navy Estimates—Men and Boys, Motion for Adjournment, 1857

Pim, Mr. J., *Dublin City*
Offices and Oaths, 2R. 1125
Railways, Commission on, 404
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Plantagenets at Fontevrault, Statues of the
Question, Mr. Owen Stanley; Answer, Lord Stanley *Mar* 7, 1444

Plate, River, War in the
Question, Mr. Laird; Answer, Lord Stanley *Mar* 1, 1233

Pollard-Urquhart, Mr. W., *Westmeath Co.*
Ireland—Railways, Res. 1941

Poor Law
Holyhead Union, Question, Mr. Owen Stanley; Answer, Mr. Gathorne Hardy *Feb* 22, 810
Rating of Charitable Institutions, Question, Mr. Biddulph; Answer, Mr. Earle *Feb* 22, 811
Scotland, Question, Sir Robert Anstruther; Answer, Mr. Walpole *Feb* 19, 586

Portman, Lord
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Post Office
Postal Communication with the East, Question, Mr. Crawford; Answer, Mr. Hunt *Feb* 11, 212
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Potter, Mr. E., *Carlisle*
Factory Acts Extension, Leave, 1281
Master and Servant, Law of, 1260

Powell, Mr. F. S., *Cambridge*
Courts of Justice, The New, Res. 823
Education, 1160
Finsbury Estate, 2R. 315
Master and Servant, Law of, 1261
Trades Unions, 2R. 513; Comm. *cl.* 2, 995; *cl.* 5, 997

Princess of Wales, H.R.H.
l. An humble Address to Her Majesty (The Earl of Derby) agreed to, *Nemine Dissentiente* *Feb* 22, 791; The Queen's Answer reported *Feb* 25, 1002
c. *Address of Congratulation to Her Majesty* (The Chancellor of the Exchequer) agreed to, *Nemine Contradicente* *Feb* 22, 813; Her Majesty's Answer reported *Feb* 26, 1032

Public Schools Bill
(*The Earl of Derby*)
l. Presented; read 1ª *Feb* 7, 80 (No. 4)
Read 2ª, after short debate *Feb* 14, 333
Committee *Feb* 25, 1003 (No. 29)
Report *Mar* 7, 1428
Read 3ª, and passed *Mar* 8, 1546
c. Read 1° * *Mar* 15 [Bill 78]

Railway Companies Arrangements Bill
(*Sir Stafford Northcote, Mr. Cave, Mr. Attorney General*)
c. Ordered; read 1° *Feb* 7, 89 [Bill 4]
Question, Mr. Fildes; Answer, Mr. Stephen Cave *Mar* 12, 1704

Railway Construction Facilities Act (1864) Amendment Bill
(*Mr. Whalley, Mr. White*)
c. Ordered * *Feb* 25
Read 1° * *Feb* 26 [Bill 57]

Railway Debenture Holders Bill
(*Mr. Watkin, Mr. Alderman Salomons, Mr. Laing*)
c. Ordered *Feb* 12, 297
Read 1° * *Feb* 14 [Bill 20]
Bill read 2°, and committed to a Select Committee *Feb* 21, 781; List of the Committee, 791

Railway Traffic Protection Bill
(*The Lord Redesdale*)
l. Presented; read 1ª, after short debate *Mar* 12, 1699 (No. 43)
Read 2ª *Mar* 14, 1766

Railway Traffic Returns
Question, Mr. Crawford; Answer, Sir Stafford Northcote *Feb* 11, 212

Railways
Commission on, Question, Mr. Pim; Answer, Mr. Walpole *Feb* 15, 404—*The Irish Lines*, Question, The Marquess of Clanricarde; Answer, The Earl of Derby *Feb* 18, 457; Question, Mr. W. Ormsby Gore; Answer, Sir Stafford Northcote *Feb* 18, 459
(See *Ireland—Railways*)

Railways (Guards' and Passengers' Communication) Bill
(*Mr. Henry B. Sheridan, Sir Patrick O'Brien*)
c. Ordered; read 1° * *Feb* 20 [Bill 39]

Rawlinson, Sir H. C., *Frome*
Army—(India and the Colonies), Motion for a Committee, 1048
Egypt—The Suez Canal, 1549
India—The Maharajah of Mysore, 827

Read, Mr. C. S., *Norfolk, E.*
Cattle Plague, 402, 403;—Compensation for Slaughtered Cattle, 1702
Dogs, Duty on, 2R. 781; Comm. *cl.* 1, 1196; *cl.* 10, Amendt. 1202
Factory Acts (Educational Clauses), Res. 1077
Metropolitan Poor, 3R. 1863
Valuation of Property, 2R. 1673

REARDEN, Mr. D. J., *Athlone*
Tenants Improvements (Ireland), Leave, 553

REBOW, Mr. J. G., *Colchester*
Cattle Plague—Compensation for Slaughtered Cattle, 1702

Recovery of Certain Debts (Scotland) Bill [H.L.] (*The Lord Chancellor*)
l. Presented ; read 1ª* *Feb* 15 (No. 14)
Read 2ª *Mar* 12, 1699

Recruiting Commission
Moved, "That an humble Address be presented to Her Majesty for, Return of the Recommendations of the Recruiting Commission of 1866, and the Steps taken thereon" (*The Earl of Dalhousie*) *Mar* 14, 1768 ; after long debate, Motion agreed to

REDESDALE, Lord (Chairman of Committees)
British North America, Commons Amendts. 1701
Parliamentary Reform—Borough Qualification, Res. 718
Privilege—Mr. R. S. France, 119 ; Explanation, 370, 452, 453 ; Res. 1627
Railway Traffic Protection, 1R. 1699 ; 2R. 1767
Trades Unions, 2R. 1442
Traffic Regulation (Metropolis), Comm. 1910

Reform Bill (Ireland)
Question, Mr. Brady ; Answer, Lord Naas *Feb* 19, 585
(See *Representation of the People*)

Religious, &c., Buildings (Sites) Bill (*Mr. Hadfield, Mr. Bazley, Mr. Akroyd, Mr. Leeman*)
c. Ordered ; read 1° *Mar* 1, 1283 [Bill 64]

Representation of the People—Parliamentary Reform
Paragraph of the Queen's Speech read *Feb* 11
Moved, "That on the 25th of February this House will resolve itself into a Committee of the Whole House to take into consideration the 2 & 3 *Will.* IV. c. 45" (*Mr. Chancellor of the Exchequer*), 214 ; after long debate, Motion agreed to
Resolutions referred to by The Chancellor of the Exchequer (*Appendix*)
Order for Committee to consider the Act 2 & 3 *Will.* IV. c. 45, read
Moved, "That Mr. Speaker do now leave the Chair" (*Mr. Chancellor of the Exchequer*) *Feb* 25, 937 ; after long debate, Motion withdrawn ; Committee deferred till Thursday
Observations, The Chancellor of the Exchequer *Feb* 26, 1021
Moved, "That this House do now adjourn" (*Mr. Gladstone*) ; after short debate, Motion withdrawn

[*cont.*

Representation of the People—cont.
Order for Committee to consider the Act 2 & 3 *Will.* IV. c. 45, read, and, after short debate, discharged *Feb* 28, 1203
Petition of Electors of Wolverhampton presented (*Earl Grey*) *Mar* 15, 1890 ; after long debate, Petition ordered to lie upon the table
Borough Franchise, Question, Mr. Warner ; Answer, The Chancellor of the Exchequer *Mar* 4, 1306
Borough Qualification, Moved, "That, in the opinion of this House, in any further scheme to amend the Reform Act of 1832 and increase the body of Electors, it is not desirable or necessary that all Boroughs should return Members by the same Qualification" (*Lord Campbell*) *Feb* 21, 701 ; after debate, Motion withdrawn
Electoral Franchises, Question, Mr. Baines ; Answer, The Chancellor of the Exchequer *Feb* 18, 467 ; Question, Mr. Darby Griffith ; Answer, The Chancellor of the Exchequer *Feb* 22, 886
Electoral Statistics, Observations, Mr. Locke ; Reply, Mr. Gathorne Hardy ; long debate thereon *Mar* 14, 1809
Electors in Cities and Boroughs, Motion for Papers (*Earl Russell*) *Mar* 11, 1633 ; after debate, Motion agreed to
Lancaster, Reigate, Totnes, Yarmouth, Question, Mr. Serjeant Gaselee ; Answer, The Chancellor of the Exchequer *Mar* 8, 1548
Ministerial Explanations, Question, Mr. Gladstone ; Answer, The Chancellor of the Exchequer *Mar* 4, 1309 ; The Chancellor of the Exchequer *Mar* 4, 1309 ; Question, Mr. Ayrton ; Answer, The Chancellor of the Exchequer *Mar* 8, 1573
Rating and Rentals, Question, Mr. Bass ; Answer, Mr. Gathorne Hardy *Feb* 12, 284
Reform Bill, Question, Mr. White ; Answer, The Chancellor of the Exchequer *Mar* 1, 1235 ; Question, Mr. Darby Griffith ; Answer, The Chancellor of the Exchequer *Mar* 11, 1646
Reform Bill (Ireland), Question, Mr. Brady ; Answer, Lord Naas *Feb* 19, 585
Reform Statistics, Question, Earl Granville ; Answer, The Earl of Derby *Mar* 11, 1626 ; Question, Mr. Locke ; Answer, The Chancellor of the Exchequer, 1648
Moved, "That this House do now adjourn" (*Mr. Horsman*) ; after short debate, Motion withdrawn *Mar* 11, 1648
Question, Mr. Lowe ; Answer, The Chancellor of the Exchequer *Mar* 12, 1702
Resolutions, The, Question, Lord Robert Montagu ; Answer, The Chancellor of the Exchequer *Feb* 14, 337 ; Question, Mr. Sclater-Booth ; Answer, The Chancellor of the Exchequer *Feb* 18, 465 ; Question, Mr. Ayrton ; Answer, The Chancellor of the Exchequer ; long debate thereon *Feb* 18, 480
The Resolutions—see *Appendix*
Small Tenements Rating Act, Question, Mr A. Peel ; Answer, Mr. Gathorne Hardy *Feb* 15, 404

RICHMOND, Duke of (President of the Board of Trade)
Railway Traffic Protection, 2R. 1766, 1768

RIDLEY, Sir M. W., *Northumberland, N.*
Metropolitan Poor, Comm. *cl.* 5, 1612; *cl.* 7, 1615

ROEBUCK, Mr. J. A., *Sheffield*
British North America, Comm. *cl.* 69, 1318, 1319; *cl.* 91, *ib.*; *cl.* 145, 1320, 1322
Counsel to the Secretary of State for India, Comm. 1328
Criminal Law, Comm. *cl.* 3, 1761
Libel, 2R. 1734
Ministerial Explanations, 1324
Offices and Oaths, 2R. 1100
Representation of the People, Comm. 991
Swansea Vale Railway, 2R. 1089
Trades Unions, Leave, 194; 2R. 518; Comm. *cl.* 2, 994, 995, 996; Amendt. 997, 998; *cl.* 5, 999, 1000

ROLT, Sir J., *see* ATTORNEY GENERAL, The

ROMILLY, Lord
Lis Pendens, 2R. 699
Sale of Land by Auction, 2R. 700

Royal Irish Academy
Observations, Mr. Gregory; Reply, Mr. Hunt *Mar* 8, 1596

ROYSTON, Right Hon. Viscount, (Comptroller of the Household), *Cambridgeshire*
Address in Answer to the Speech—Her Majesty's Reply, 144
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RUSSELL, Earl
Address in Answer to the Speech, 26
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Lord Chief Baron—Petition of R. Wason, Esq. 257, 271, 272
Parliamentary Reform—Borough Qualification, Res. 717
Princess of Wales—Address to Her Majesty, 792
Representation of the People—Electors in Cities and Boroughs, Motion for Papers, 1633, 1638, 1643
Turkey—Turkish Provinces in Servia, 1890
Volunteers, Employment of, in Civil Disturbances, 929

RUSSELL, Sir C., *Berkshire*
Army Estimates—Land Forces, 1504
Army, Flogging in the, Res. 1976

Russia—Eastern Policy of
Question, Mr. Layard; Answer, Lord Stanley *Mar* 7, 1447

ST. ALBANS, Duke of
Ireland—Military at Elections, Motion for Papers, 1213

ST. LEONARDS, Lord
Church of England in the Colonies, Address for Papers, 393
Hypothec Amendment (Scotland), Comm. 1431
Lis Pendens, 2R. 698, 699
Lord Chief Baron—Petition of R. Wason, Esq. 261, 268
Masters and Operatives, 1R. 79; 2R. 696, 697; Comm. *cl.* 4, 930
Sale of Land by Auction, 2R. 700
Trades Unions, 2R. 1435; Comm. 1765
Volunteers, Employment of, in Civil Disturbances, 919

Sale and Purchase of Shares Bill
(*Mr. Leeman, Mr. Waldegrave-Leslie, Mr. Goldney*)
c. Ordered; read 1° *Feb* 20, 690 [Bill 38]
Moved, "That the Bill be now read 2°" (*Mr. Leeman*) *Feb* 27, 1134
Amendt. To leave out "now," and add "upon this day six months" (*Mr. Fildes*); Question, "That 'now,' &c.;" debate adjourned
Debate resumed *Mar* 5, 1397; after further debate, A. 86, N. 41; M. 45; Bill read 2°

Sale of Land by Auction Bill [H.L.]
(*The Lord St. Leonards*)
l. Presented; read 1ª* *Feb* 12 (No. 10)
Read 2ª *Feb* 21, 700
Committee*; Report *Feb* 25
Read 3ª* *Mar* 1
c. Read 1°* *Mar* 11 [Bill 70]

SALOMONS, Mr. Alderman D., *Greenwich*
Limited Liability Acts, Motion for a Select Committee, 1382
Liverpool, Sanitary Condition of, 1307
Metropolitan Poor, 2R. 769
Railway Debenture Holders, 2R. 784
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Salt, English, Admission of, into France
Question, Mr. Tollemache; Answer, Lord Stanley *Mar* 7, 1443

SAMUDA, Mr. J. D'A., *Tavistock*
Navy—Dockyards, Res. 636
Navy Estimates—Men and Boys, 1856

SAMUELSON, Mr. B., *Banbury*
Trades Unions, 2R. 522; Comm. *cl.* 2, 996

SANDFORD, Mr. G. M. W., *Maldon*
Law, Administration of the, 877
Representation of the People—Electoral Statistics, 1823

SCHREIBER, Mr. C., *Cheltenham*
Offices and Oaths, 2R. 1097
Scotland, Representation of, 1270

SCLATER-BOOTH, Mr. G., *Hampshire, N.*
Representation of the People—The Resolutions, 465

Scotland
Canongate Church, Edinburgh, Question, Mr. Moncreiff; Answer, Mr. Walpole *Mar* 12, 1704
Collectors of Taxes, Question, Mr. E. Craufurd; Answer, Mr. Hunt *Feb* 26, 1028
Education, Question, Sir Edward Colebrooke; Answer, Mr. Corry *Feb* 21, 725
Game Laws, Question, Mr. Fordyce; Answer, Mr. Walpole *Feb* 28, 1145
Poor Law, Question, Sir Robert Anstruther; Answer, Mr. Walpole *Feb* 19, 586
Representation of, Question, Sir William Stirling-Maxwell; Reply, The Chancellor of the Exchequer; debate thereon *Mar* 1, 1262; Question, Colonel Sykes; Answer, The Chancellor of the Exchequer *Mar* 14, 1801
Road Reform, Question, Sir Robert Anstruther; Answer, Mr. Walpole *Mar* 1, 1231
Sanitary Laws, Question, Sir Robert Anstruther; Answer, Mr. Walpole *Feb* 18, 461
Scotch Business in Parliament, Question, Mr. Baxter; Answer, Mr. Walpole *Feb* 12, 283; Question, Mr. Baxter; Answer, Mr. Walpole *Feb* 21, 721

Scourfield, Mr. J. H., *Haverfordwest*
Metropolitan Poor, 2R. 755
Navy—Dockyards, Res. 634
Supply—Universal Exhibition at Paris, Report, 688
Volunteers, Employment of, in Civil Disturbances, 1576

Scrope, Mr. G. Poulett, *Stroud*
Valuation of Property, Leave, 255

Scurvy
Question, Mr. Hanbury-Tracy; Answer, Sir Stafford Northcote *Feb* 12, 282

Sea Coast Fisheries (Ireland) Bill
(*Mr. Blake, Colonel Tottenham, Mr. Brady*)
c. Ordered; read 1°* *Feb* 22 [Bill 50]

Seely, Mr. C., *Lincoln*
Navy—Dockyards, Res. 588, 648

Select Vestries
l. Bill, *pro formâ,* read 1ª* *Feb* 5

Selkirk, Earl of
Hypothec Amendment (Scotland), 2R. 1141, 1224

Selwyn, Mr. C. J., *Cambridge University*
Counsel to the Secretary of State for India, 2R. 1203; Comm. 1329, 1335

Servia — Turkish Fortresses in — see *Turkey*

Seymour, Mr. H. D., *Poole*
Army Estimates—Land Forces, 1500
Counsel to the Secretary of State for India, 2R. 1206
Navy Estimates—Men and Boys, 1857
Valuation of Property, 2R. 1662

Shaftesbury, Earl of
Agricultural Gangs, 906
British North America, Comm. 804, 806
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Ireland—Disturbances in, 371
Traffic Regulation (Metropolis), Comm, *cl.* 11, 1910, 1911, 1912; *cl.* 22, 1913

Sheridan, Mr. H. B., *Dudley*
Metropolis—Ornamental Waters in the Parks, 584
Sale and Purchase of Shares, 2R. 1413

Shipping Local Dues Bill
(*Sir Stafford Northcote, Mr. Cave, Mr. Hunt*)
c. Considered in Committee; after short debate, Resolution agreed to; Bill ordered; read 1° *Feb* 7, 108 [Bill 5]
Read 2°* *Feb* 21
Committee*; Report *Mar* 7
Considered*; *Mar* 8
Read 3°* *Mar* 11
l. Read 1ª* (*The Duke of Richmond*) *Mar* 12
Read 2ª* *Mar* 15 (No. 41)

Shipping Returns
Observations, Mr. Candlish; Reply, Mr. Stephen Cave *Mar* 15, 1934

Simeon, Sir J., *Isle of Wight*
Metropolitan Poor, Comm. *cl.* 43, 1676; *cl.* 79, 1695

Smith, Mr. A., *Hertfordshire*
Metropolitan Poor, Comm. *cl.* 79, 1697

Smith, Mr. J. B., *Stockport*
Artizans' and Labourers' Dwellings, Leave, 292
Cattle Plague, 403
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Sugar Duties, Comm. 472

Smollett, Mr. P. B., *Dumbartonshire*
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